Sinhala and Tamil versions of this report will be printed seperately.

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FINAL REPORT OF THE COMMISSION OF INQUIRY INTO THE INVOLUNTARY REMOVAL OR DISAPPEARANCE OF PERSONS IN THE NORTHERN & EASTERN PROVINCES

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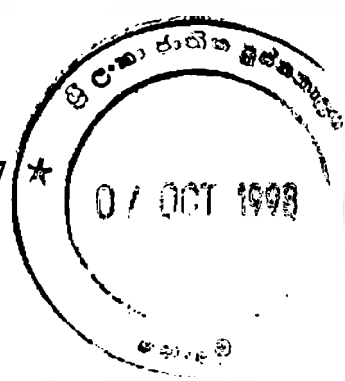

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FINAL REPORT
COMMISSION OF INQUIRY INTO INVOLUNTARY REMOVAL OR DISAPPEARANCE OF PERSONS IN THE NORTHERN & EASTERN PROVINCES

VOLUME I

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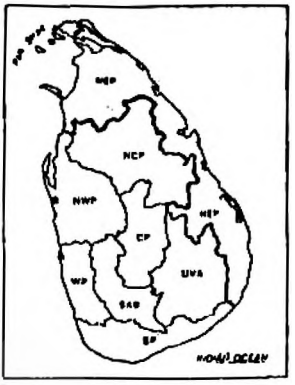
In this report "the Northeast" refers to the area presently consisting of Jaffna, Kilinochchi, Mannar, Mullaitivu, Vavuniya, Trincomalee, Batticaloa, and Amparai administrative districts.

Sri Lanka

Sri Lanka, showing administrative districts



Provinces of Sri Lanka

NEP — Northeastern Province
NCP — North Central Province
NWP — North Western Province
UVA — Province of Uva
SAB — Province of Sabaragamuwa
CP — Central Province
WP — Western Province
SP — Southern Province

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PRESIDENTIAL COMMISSION OF INQUIRY INTO INVOLUNTARY REMOVAL OR DISAPPEARANCE OF PERSONS IN THE NORTHERN AND EASTERN PROVINCES

CHAPTER 1

INTRODUCTION

A Warrant under your Excellency's hand was signed on the 30th of November 1994, setting up a Presidential Commission of Inquiry into Involuntary Removal or Disappearance of Persons in the Northern and Eastern Provinces.

The following were appointed Commissioners under Section 2 of the Commissions of Inquiry Act (Chapter 393).

(1) Krishnapillai Palakidner Esquire,

(2) Luwisdura Walter Romulus Widyaratne Esquire, and

(3) Dr. Wedaarachchi Nawalage Wilson.

K.Palakidner Esquire, was appointed Chairman of the Commission.

The Secretary to the Commission was appointed on the 4th of January 1995 and the Hon. Minister of Justice briefed the Commissioners on the 9th of January 1995.

The Commissioners were to inquire and report on the following :

(*a*) Whether any persons have been involuntarily removed or have disappeared from their places of residence in the Northern Province and Eastern Province at any time after January 1st 1988;

(*b*) The evidence available to establish such alleged removals or disappearances;

(*c*) The present whereabouts of the persons alleged to have been so removed, or to have so disappeared;

(*d*) Whether there is any credible material indicative of the person or persons responsible for the alleged removals or disappearances;

(*e*) The legal proceedings that can be taken against the persons held to be so responsible;

(*f*) The measures necessary to prevent the occurrence of such alleged activities in the future;

(*g*) The relief, if any, that should be afforded to the parents, spouses and dependants of the persons alleged to have been so removed or to have so disappeared;

and to make such recommendations with reference to any of the matters that have been inquired into under the terms of this Warrant.

The Commission housed in the Superior Courts Complex of the Ministry of Justice, called for public representations, by notice published in the National News Papers in all the three languages on the 14th January, 1995. A period of one month was given for the receiving of representations. Subsequently, on Your Excellency's directive, the period was extended by another month. The electronic media was also widely used to appeal to the public to send in their representations.

Complaints were received both from the affected parties and also from the various Non-Governmental Organisations. Complaints were also referred to us from Your Excellency's office, from the Ministry of Defence, the Ministry of Foreign Affairs, the Ministry of Justice and from the various Branches of Amnesty International.

It was also observed that more than one member of the same family had sent in their complaints regarding disappeared persons. It so happened that the wife of a disappeared person who had opted to stay with her parents after the alleged incident had sent in her complaint from the parents' home while the father of the disappeared person had also sent in another complaint regarding the same person from his place. It also happened that those who complained to us direct in response to the advertisement had also sent in their data to the Non-Governmental Organisations which again forwarded these to us. There was considerable overlap in these complaints. The Commission had to recheck all these complaints. It also prepared and circulated a questionnaire to be completed by these complainants. – Annexure "A"

On receipt of the perfected questionnaires the Commission fixed dates to meet the complainants in their own areas and also in Colombo and recorded their statements in public. The public sittings were held in the following areas, during the dates mentioned:

1.1. Public Sittings held in the Northern and Eastern Provinces.

1.1.1. Disappearances in the Batticaloa District - Public Sittings held in Batticaloa -

1st Sittings - 24.04.95 to 02.05.95.
2nd Sittings - 09.11.96 to 16.11.96.
3rd Sittings - 01.02.97 to 07.02.97.

1.1.2. Disappearances in the Trincomalee District - Public Sittings held in Trincomalee.

1st Sittings - 11.03.95 to 18.03.95.
2nd Sittings - 20.07.95 to 30.07.95.
3rd Sittings - 14.09.95 to 25.09.95.
4th Sittings - 23.01.96 to 27.01.96.

1.1.3. Disappearances in the Districts of Kilinochchi, Mullativu, Vavuniya and Mannar (Mainland) Public Sittings held in Vavuniya.

1st Sittings - 09.03.96 to 15.03.96.
2nd Sittings - 13.07.96 to 14.07.96.

1.1.4. Disappearances in the Mannar District (Island – Public Sittings held in Puttalam.

Sittings were held from - 06.10.96 to 07.10.96.

1.1.5. Disappearances in the Amparai District - Public Sittings held in Amparai and Kalmunai.

1st Sittings - 01.03.97 to 07.03.97.
2nd Sittings - 20.04.97 to 22.04.97.

1.1.6. Public Sittings were held in Colombo on the following dates in respect of all the Districts.

17.05.95 to 31.05.95.
06.06.95 to 28.06.95.
05.07.95. to 13.07.95
18.08.95 to 21.08.95
04.09.95 to 06.09.95
17.01.96 to 18.01.96
22.02.96 to 23.02.96
07.03.96
10.04.96
13.05.96 to 31.05.96
03.06.96 to 28.06.96
17.07.96 to 25.09.96

1.2. **Methodology of Inquiry**

The purpose of the Commission during the First Stage of the inquiry was to give the complainants a chance to relieve themselves of the anguish festering in their minds for almost six years. Opportunity was given to the complainants to elaborate on the data submitted by them to the questionnaire. During this stage of the inquiry, the Commission also formed a rough idea of the economic set-up of the affected families. It was found during the inquiries that most families were in desperate circumstances. People who had been leading comfortable lives found themselves suddenly destitute. They had to work as unskilled labour to support their families. This affected the women folk most; hence the Commission worked out a compensation scheme for these affected families as a priority step.

The Second Stage of the inquiry was to find out the persons responsible for these arrests and subsequent disappearances. This was a more complex problem. Most people who suffered in the North and East were illiterate and from rural milieu and could not distinguish the Special Task Force persons from the Army personnel. It was virtually impossible for them to identify any officers who were responsible for these arrests by name or by rank. The Sri Lankan Army does not display the Name Badge on the Uniform like the American G.I. Except for some notorious cases of Army Personnel who were known far and wide for their terror tactics, most of the officers and soldiers who participated in the arrests could not be identified. We had to write to the Army and the Police to find out which Officer was in-charge of a particular camp at a particular time. This operation was time consuming. There were delays in replies and often there were no replies at all. We were able to investigate into some complaints but the bulk of the exercise is left for the successor Commission to look into.

1.3. **Findings of the Inquiry**

The Commission has come to the conclusion that youth in the North and East disappeared in droves in the latter part of 1989 and during the latter part of 1990. This large scale disappearances of youth is connected with the military operations started against the J.V.P. in the latter part of 1989 and against the L.T.T.E. during Eelam War II, beginning in June 1990.

The Commission was satisfied that the complainants who appeared before the Commission alleging arrests by the Army and other Security Agencies were speaking the truth. There is no reason for the people to come forward and allege that the Army from the X Camp or Major X from some other Camp arrested their sons or husbands 6 years earlier. The Commission was impressed by the sincerity and the feeling behind the evidence and the general demeanour of the complainants.

The Commission wishes that it could say the same thing with reference to some of the Security Service Personnel who appeared before it and gave evidence. During the arrests the Army had come out with standard excuses when confronted with the demands of the relatives of those arrested. The stock excuse was that they are being taken for inquiry and will be released after the inquiry was over. Other response of the Army was to deny the arrests altogether.

The security officers who gave evidence before the Commission came out with similar excuses. They denied involvement altogether or maintained that "records were missing". On occasions the Army officers were less than co-operative in assisting the Commission in its work. One instance of this unhelpfulness given below is illustrative:

The Commission took up the matter of the abduction of 9 members in the same family with the ages ranging from 65 to 4. This abduction happened during curfew hours in Trincomalee from a house which is close to a Military Check Point. Hence the Security Services were suspect.

A witness gave evidence in camera that Cpl. Piyamantha of the Sri Lanka Army and Richard Wijesekera, D.I.G. were involved in the abduction. As Cpl, Piyamantha is reported to be stationed at the Plantain Point Army Camp we asked the D. I. G. (Uva and Eastern Ranges) to summon Cpl. Piyamantha question him and submit a report. The reply was received stating that inquiries were made at the Plantain Point Army Camp and that the Army Authorities were not in a position to indicate the present whereabouts of Cpl. Piyamantha, and they wanted the Commission to supply the Full Name, Number and the Regiment to which he belongs. The Commission wrote to the Army calling for these particulars. The reply received from the Army is reproduced in full in Annexure - 'B'. This episode reveals that the attitude of the Army was of no great help in our inquiries.

The Commission was able to listen to the evidence of the Army Officers connected with 3 major arrest operations conducted by the Army - *Viz*; Mc-Heyzer Stadium arrests in Trincomalee, Base Hospital arrests in Trincomalee and Sathurukondan arrests in Batticaloa.

The burning question confronting the Commission is what happened to all those who were arrested during the operations from 1988 to 1993. The arrests are well documented and the Commission is satisfied in its mind that the arrests took place.

It was the impression of the Commission that the Army Officers were not forthcoming in the evidence they gave or in the assistance they offered to the Commission.

It was obvious that a section of the Army was carrying out the instructions of its Political Superiors with a zeal worthy of a better cause. Broad power was given to the Army under the Emergency Regulations which included the power to dispose of the bodies without post-mortem or inquests and this encouraged a section of the Army to cross the invisible line between the legitimate Security Operation and large scale senseless arrests and killings.

Due to time constraints and other factors the Commission is unable to complete its inquiries against the Army Personnel who had caused the disappearances of so many people and we hope that the successor Commission, will have success in its investigations into the arrests.

Unlike other Commissions this Commission had to investigate disappearances in areas of Military Operations. The Commission had to either cancel several sittings or postpone them due to the unsettled conditions caused by the ground situation. On one occasion in Batticaloa, the Commission found shells zooming over the Circuit Bungalow where it stayed and heard the rattle of gun-fire for hours. On this occasion the L.T.T.E. attacked the Batticaloa Police Station in the heart of the Town. In fact we were advised by the President's Office on 10.12.96, not to go to Jaffna to hold inquiries as conditions were not conducive for holding public inquiries.

1.4. A Word of Thanks

This Commission wishes to record its appreciation of the help rendered by several parties for the successful completion of its work.

The Ministry of Justice made available the space to house the office of this Commission. The Ministry recovered no rent for the space allocated. A good part of the furniture was borrowed from the Ministry of Justice and we have to put on record the help given by the Hon. Minister of Justice G.L. Peiris for allowing us to continue to function in the building when attempts were made to eject us. We should also record the immense help given by Mrs. Lalani Perera, Additional Secretary, Ministry of Justice who went out of the way to make our stay as comfortable as possible.

The Government Agents in the Districts offered us all assistance in the work of the Commission and helped us in numerous ways. Mr. K. Ganesh, Govt. Agent, Vavuniya, Mr. K. Pathmanathan, Govt. Agent, Batticaloa, Mr. A. I. Wickrema, Govt. Agent, Amparai, Mr. K. Paramalingam, Deputy Chief Secretary, Provincial Public Administration, Trincomalee, Mr. P. Balavadivel, High Court Judge, Trincomalee, Mr. R. Premasiri Appuhamy, Acting Govt. Agent. Puttalam, Mr. P.A. Rupasiri, Administrative Officer Amparai Kachcheri are some of the Persons to whom this Commission is deeply indebted for anticipating even the slightest wish of the Commissioners and mobilising all the resources under them to make our task lighter and more pleasant.

We have also to thank the army and several Deputy Inspector Generals of Police of the Districts who provided us with Security during our stay in the troubled areas in the Northern and Eastern Provinces.

Mr. S.C. Manicawasagar, Secretary and the three Assistant Secretaries, M/s S. Appadurai, S.Patkunarajah, and S. Kanakasabapathy and the staff worked cheerfully under cramped conditions in the office by giving of their best in matters of Organisation, supplying support services to the Commission and in drafting the Final Report.

The two legal officers, Mr. V. S. Ganeshalingam and Mr. A. Punithanayagam used their contacts with Human Rights Organisations to strengthen our investigative process. Finally we have to thank your Excellency for reposing confidence in us with this mandate and we have to thank the Secretary to the President Mr. K. Balapatabendi and his staff led by Addl. Secretary, Mr. Dhammike Amarasingha for the unfailing assistance provided to this Commission.

K. Palakidner (Chairman)

L.W.R. Widyaratne, (Member)

W. N. Wilson (Member)

S. C. MANICAVASAGAR,
Secretary to the Commission.

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CHAPTER 2

TRINCOMALEE DISTRICT

In Trincomalee, the number of complaints of arrests and disappearances received by this Commission was 710. Ninety six (96) complainants failed to turn up for inquiries in spite of several summons served on them. The balance 614 cases were inquired into. Of this number, 91 are complaints of disappearances and the rest are arrests totalling 523. The majority of the arrests are individual arrests, *viz.*: arrests of persons from their houses, arrests on the roadside, in the paddy field or, while fishing etc.. These amount to 258 in Trincomalee.

The arrests made at the Trincomalee Base Hospital premises on 15.06.90 and the group arrests and subsequent disappearances at the Mc-Heyzer Stadium where the people were asked to assemble for security Check on 11.07.90, and the smaller group arrests made, amounted to 124. Then there were arrests from the Refugee Camps. 117 instances of such arrests came to the notice of the Commission. There were arrests in the high-seas amounting to 24.

Arrests were made by several agencies . In Trincomalee the major part of the arrests was by the Army. It is reported that Army was responsible for 385 of the 523 arrests while the Navy accounted for 15, Air Force 4, Police 22, Homeguards 7, L.T.T.E. 19, TELO 1, EPRLF 3, while 67 arrests were considered the handiwork of unknown people. In most instances the "unknown" people are Security Forces operating without Uniforms who go about in un-numbered white vans and sow terror in the country side. They have entered homes at all hours and picked on the quarry under the very nose of the parents, wives and children. Please see Annexure "C" for a detailed report of the arrests made in this District.

2.1. **Sinhalese**

From 1988 to 1995, 58 Sinhalese were arrested; of these, 26 arrests were made in 1989. These arrests were mainly in the 2nd half of 1989. This was during the climax of the "no holds barred" struggle of the Government against the J.V.P in the second half of 1989, which tapered off with the arrests of Wijeweera and Gamanayake by the end of the year. Major part of the arrests took place in Kantale and its environs.

Evidence was led that Capt. Peiris and Capt. Athula were responsible for most of the arrests. We give herewith some arrests in which these two officers are reported to have played a prominent role.

Two brothers – Elder brother Kasthuriarachchige Piyathissa, employed as Security Guard in the Sugar Corporation, and the Younger brother who was a teacher-were arrested and taken into custody on 06.09.89. This arrest is reported to be by Capt. Athula . The father sent meals for 02 days but later the Army denied arrest. Capt. Athula

was alleged to be responsible for the arrest of Thalhavadigedara Nihal Jayaweera *alias* Upali on 07.09.89.

Again Mapa Mudiyanselage Dhasman Gunasiri was arrested on 21.10.89 from his brother's place by the Army and taken to Sugar Factory Camp. When his wife went to the Camp they denied arrest. There were several arrests like these but one or two arrests stand out prominently due to allegation of needless cruelty reported to have been inflicted by the Security Services.

Wickremasinghe Mudiyanselage Nimal Bandara, Age 20, and his brother were arrested on 29.08.89. at 11.45 p.m. and taken to Kantale Camp. Both were tied by their legs and dragged up and down to the Camp. One brother spent 08 months in the hospital while the other is claimed to have been murdered by dropping a boulder on his head.

The officer responsible, Mr. Ratnayake is reported to have left the Police Force. Vasantha Abeykone and his brother Piyatileke were arrested by the Army on 17.09.89, headed by Capt. Peiris of Mullipothana Camp, and Ariyadasa of Sobia Army Camp Piyatilake was released with a broken leg, but Wasantha was never sent back.

In the same month Army arrested Egoda Gedera Premachandra, and promised to release him after inquiry, but after 05 months his burnt body was found in Peramadu jungle.

During the same period Sarath Bandula Kalupahana was taken into custody on 12.09.89, and his body was found on the railway track, quarter of a mile away. K.G. Nimal Karunaratne, Nissanka Gnanapala Amarasiri Arachige Gamini Amarasinghe, and K.G. Tikiri Banda were arrested by the Army in August 1989. Capt. Peiris is alleged to be responsible for the arrests and disappearances of the above 04 people. One of these victims Gamini Amarasinghe was supposed to have been taken to Habarana jungle and shot.

Capt. Peiris now Colonel appealed before this Commission and in evidence denied involvement in these arrests.

2.2. **Tamils**

499 Tamils were taken into custody during the period 1988 to 1995. Out of these 397 were arrested in 1990 alone and most of them were arrested in the six month period from June 1990 to December 1990. Our report relates mainly to the complaints made by the Tamils as they formed the bulk of the aggrieved persons in Trincomalee.

2.3. **Muslims**

During the same period, *i.e.* from 1988 to 1995, 54 Muslims were arrested. Out of these, 34 persons, *i.e.* more than half were from the year 1990 and mostly during the 2nd half of 1990.

2.4. **Burghers**

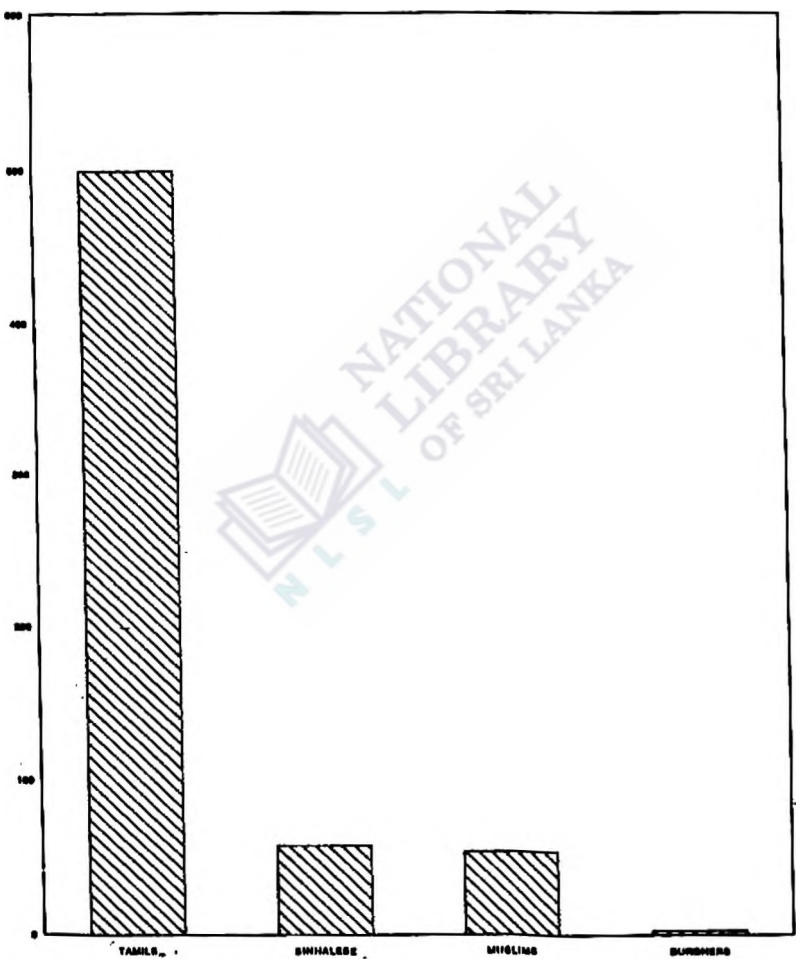
There were 03 Burghers arrested during the period from 1988 to 1995. All the 03 of them were arrested in 1990.

This shows that 1990 was the year of large scale arrests in the Trincomalee District:

The arrests were possibly a response to the gruesome way the L. T. T. E. started Ealam War II, by mowing down the Policemen from several Police Stations in Batticaloa and Amparai Districts after they surrendered. The intensity of the struggle in the background of the massacre could explain the extreme measures taken by the Army personnel. But most of these arrests were unreasonable, not called for by the situation prevailing on the ground, and often attended by needless cruelty.

Ethnicity of Disappeared Persons

Trincomalee District



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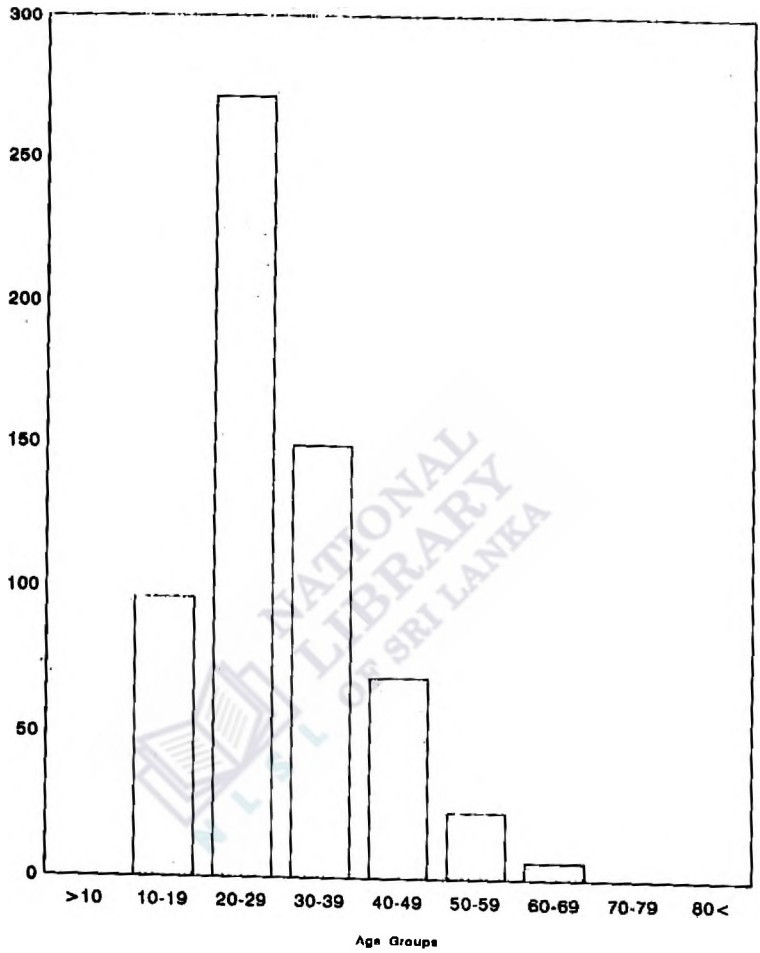
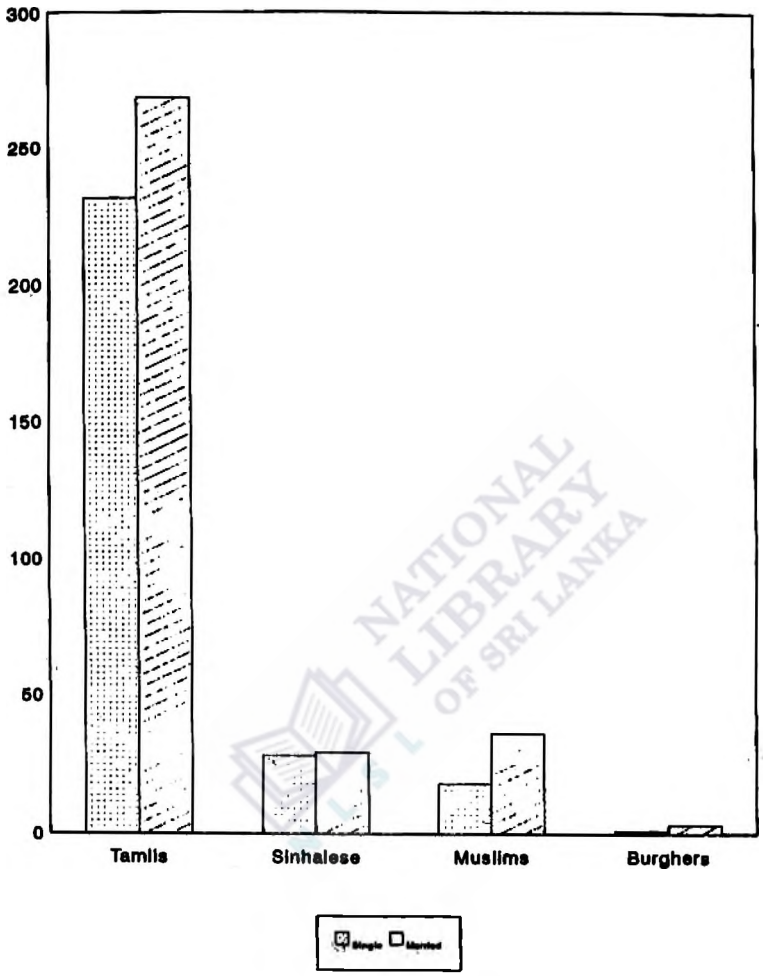
Age groups — Disappeared Persons

Trincomalee District



Civil Status — Disappeared Persons

Trincomalee District



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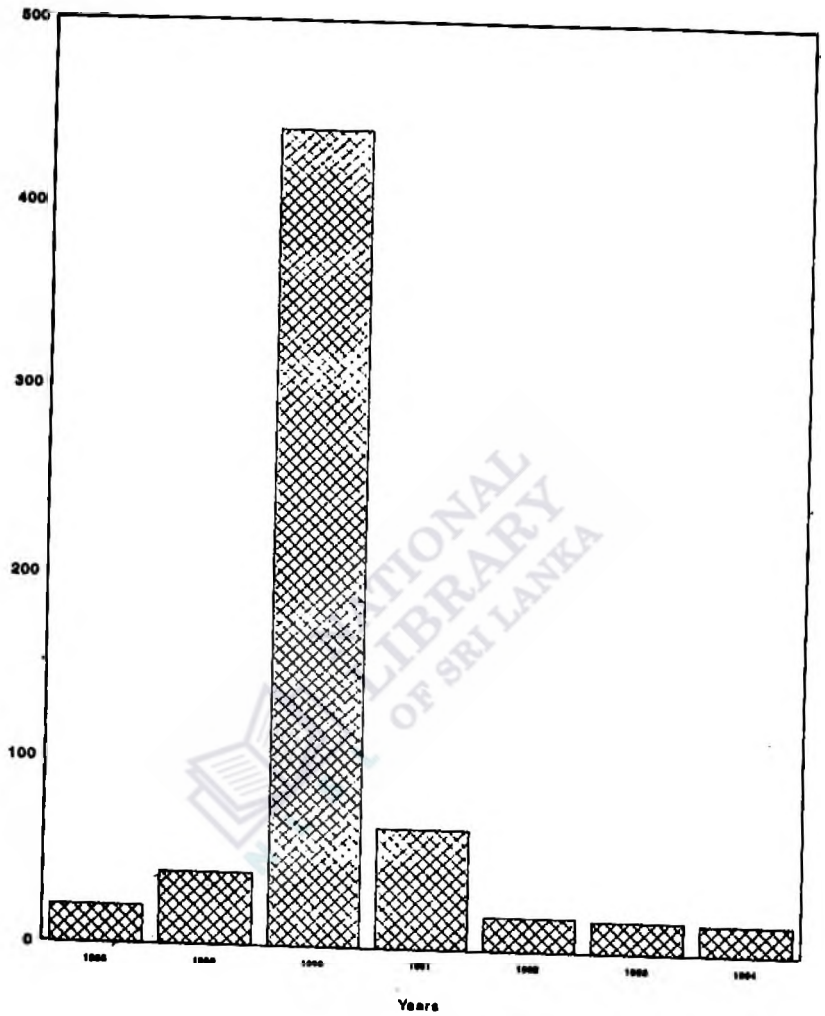
Frequency of arrests and Disappearences

Trincomalee District



2.5. Arrests at Mc-Heyzer Stadium & at the Base Hospital, Trincomalee

The arrests at Mc–Heyzer Stadium and at the Base Hospital, Trincomalee are well documented arrests and we deal with these arrests in greater detail, as we had the opportunity of listening to the people who suffered on the one hand and also the Army's version of these events. The Army as a rule denied involvement in the arrests. They also claimed that records are missing. This has been the attitude of the Army Personnel from the top brass downwards.

2.6. Group arrest at Base Hospital Trincomalee – (15.06.90)

Eelam War II started on the 8th of June, 1990 and the worst barbarism occurred on the 11th of June on which date the L.T.T.E. put to sword about 100 Policemen who were manning Police Stations in the East. The group arrests at Base Hospital, Trincomalee happened on the 15th of June 1990, close on the heels of the L.T.T.E.'s slaughter of the Policemen. This could explain to some extent the incidents that happened in the Base Hospital, Trincomalee.

From the evidence given by Dr. (Mrs.) K. Gnanagunalan D.M.O., Base Hospital, Trincomalee, and her husband Dr. Eliezer Gnananayagam Gnanagunalan, M.O.H. of the area, Ariff Samsudeen who was manning the Police Post in the Trincomalee Hospital and Brigadier T ennakone who was the senior most staff officer in the Army Headquarters in Trincomalee, the Commission could arrive at a picture of what happened in Trincomalee on the 15th of June 1990.

It appeared that :–

(1) There was a tense situation in the hospital and its surroundings on the 15th of June, 1990 following military movements and shootings in that area on the day preceding the 15th of June.

(2) On the 15th of June, 1990, some Army personnel along with the Police arrived at the hospital by about 7.15 a.m., informed the D.M.O., checked the hospital premises including the Nurses' Quarters and took into custody about 30 persons, of whom 6 were patients warded in the Hospital and some others who had come to the hospital for O.P.D. treatment.

(3) The D.M.O., M.O.H. and Ariff Samsudeen the Police Sergeant at the Hospital Police Post who were summoned by the Commission to give evidence testified that a group of Army men headed by a Captain did a Security Check and took several persons including 06 patients into custody and that they were taken away in buses.

(4) The Sergeant had further said that the Captain had told him that he was from 22 Brigade from the Plantain Point Army Camp.

(5) The M.O.H. has testified that 30 persons were brought by the Army from the hospital and were made to sit close to the hospital wall.

This figure tallies with the evidence given regarding the disappearance of 30 persons.

The M.O.H. further said that he cannot identify anyone of the Army men because they were not Trincomalee based and that he had never seen them before or after the incidents.

(6) The M.O.H. told the Commission that the Army also wanted to take over the hospital ambulance. But he went along with Surgeon Thaventhiran to Plantain Point where they spoke to Late Gen. Kobbekaduwa who gave them a personal guarantee and released the ambulance.

It appears that the Officer-in-charge of the raid on the Hospital was one who could exercise his discretion without reference to Superiors. This was established when the M.O.H. appealed to the Army Officer to release the hospital Employees whom they had arrested, the Army Officer asked him to identify them and promptly released 03 employees who were so identified.

Brigadier Tennekone (presently in Mannar) who was the Staff Officer, Army Headquarters, Trincomalee, during the period material to the inquiry said that the Late Brigadier Wijeratne was in command during this period, that no record whatsoever were available for the whole of 1990 and that he is not in a position to testify as to the two Group Arrests that are being inquired into by the Commission. He also said that the Late Wijesekera, S.P., was conducting the operations along with the Late Brigadier Wijeratne and that due to the absence of records he is not aware of the arrests. He also added that " as I am unable to get the records pertaining to year 1990, I cannot say whether there were operations or not.".

"I cannot say what happened to the records maintained by Brigadier Wijeratne. I cannot speak as the records were with Brigade Commander Wijeratne and the operations were conducted by the Late Wijeratne and S.P. Wijesekera who is also no more". The Commission was surprised by this stance taken by Brigadier Tennekone who was at the time of the raid the Senior Officer of the Brigade in Trincomalee. The Army authorities do not expect the Commission to believe that all the documentation regarding the arrests were taken by Brigadier Wijeratne in his jeep when he drove over the land mine. Hence the Commission summoned the Army Commander, briefed him of what happened and requested him to conduct a Domestic Inquiry and report to the Commission.

2.7. **The report of the Army Commander reads as follows :**

"Although the evidence revealed that certain Police/Army personnel had entered the Base Hospital, Trincomalee and removed certain patients warded in the Hospital in addition to some others who happened to be inside the hospital, an examination of documents maintained at HQ 22 Brigade, HQ 2 GR, Base Hospital, Trincomalee, Sri Lanka Corps of Military Police Detachment and Trincomalee Prison, to ascertain whether there were any entries pertaining to the incident was futile as the Court was unable to trace any document with such entries".

2.8. **The opinion of the Court is as follows :**

"There is sufficient evidence to prove that a number of persons including six patients have been removed from the wards of the Base Hospital, Trincomalee by Security Personnel and Police.

The names of the patients removed from hospital were :

(*a*) Mohanadas

(*b*) Surendran

(*c*) Asokan

(*d*) Jesuthasan

(*e*) Pushpanandan

(*d*) Karunathilakan"

It is surprising that security personnel who were not from Trincomalee apparently had undertaken the raids. There is an Army Camp at Ford-Fredrick which is close to the hospital. The Security Forces who went for the raid would have passed several Check Points in Trincomalee. The Army should have had prior knowledge of this raid. It is unthinkable that an Army Group invaded the town and raided the Hospital in the heart of the town and arrested thirty odd people and transported them in an ambulance, truck and a bus without it being known to the Army Units which were manning several check points in Trincomalee.

It is unbelievable that the Sri Lanka Army " could not obtain any evidence" as to the troops who conducted this operation. Army should know what happened to those arrested at least from the Army Intelligence Group.

A list of some of those who were taken into custody during the Hospital Operation is given along with their age occupation and the ostensible reason they came to the hospital. It is obvious that most of the people who were arrested have come to the hospital to help their relatives who were warded there or to obtain treatment for themselves or to have a cup of tea in the canteen.

Tharmalingam Gopal, 25 years old went to give a change of clothing to his wife who was after confinement.

Muthugrazian, 17 years old, student took meals for his father who was warded in the Hospital.

Thavasimuthu, U. C. labourer, was in the hospital when the Security Forces arrested him in the round-up.

Karli Vellian, Fisherman, 36 years old, came from the sea-beach to the hospital out of sheer curiosity and was arrested.

M.Rasenthiram, 21 years old, Fisherman, had gone to the hospital canteen for a cup of tea and was rounded-up.

K. Alagaiah, Fisherman, admitted his wife in the Hospital and gone to the canteen for a cup of tea and was arrested.

A Maheshwaran, 18 years old, Fisherman, went to the hospital canteen for a cup of tea and was arrested.

V. Ganesh, peon in the Governor's office, went to hospital to get medicine for his child.

Kali Sivarajah, 22 years old, went to hospital for treatment for fever and was arrested.

Karuppan, Fisherman, was admitted to Ward No. 06, in the hospital, as he was complaining of chest pain.

S.K.M. Gaffoor, 30 years old, Fisherman, went to hospital to see his wife who was admitted for confinement 05 days earlier.

Ilankovan, 24 years old, Labourer at the Glass factory, Angoda, went to Trincomalee Base Hospital to see his father who was a patient there. He was arrested and his father died of shock.

The Commission is convinced the Army officers are closing ranks to hide from the Commission, as to what really happened to the arrested from the Base Hospital.

2.9. **Group Arrest at Mc–Heyzer Stadium :**

On 11.07.90, one month after the beginning of "Eelam War II", the security Forces conducted a joint operation of "Cordon and Search" in Trincomalee town. Col. Saliya Asoka Kulatunga explained to the Commission the "Modus Operandi" of this Cordon and Search Operation.

"Police informed the people in the town through Loud Hailer to report at Mc-Heyzer Stadium leaving behind the Chief Occupants in the house. Police were sent on search parties to check whether all the inmates have gone to the Stadium. This announcement was made about 5.30 a.m. to 6.30 a.m.. At the stadium, people were requested to stand in rows, male and female in separate rows. They had to pass through some screen and there were observers behind the screen. Some people were pulled out from the rows and were asked to get into a bus. They were blind -folded with their own shirts and were put into three S.L.T.B. buses and were taken away. The search operation was completed at 3.00 p.m.

These arrests were witnessed by all the people of Trincomalee who were at the Stadium. According to Mr. Thavaraja of the Citizens Committee, 52 persons were arrested on that day. He had prepared a list of those arrested and handed it over to the Co-ordinating Officer.

Hence there is no question about the fact of arrest. It is also clear that those arrested were transported to Plantain Point Army Camp.

Witnesses mentioned to this Commission about the several frustrating trips to the Plantain Point Army Camp to get their relatives released.

01. Mrs. Alagarajah Lily Mary of 311, Court Road, Trincomalee had this to say about the arrest of her brother Arasu Thiraviam.

".....there were S.L. T .B. buses parked and my brother was asked to stand behind the said bus. Five by five were taken with their eyes tied with their own shirts. I was close-by and I saw him being taken into the bus; the people who were arrested were also taken into the bus. Army Officers were in the bus and were wearing red caps. They took them to Plantain Point Army Camp. I went every day to Plantain Point and they told me they will release him after inquiry. I went last on the 30th of July and I was asked not to come again."

02. Velayuthem Ravi of 15/1 Sivapuri., Trincomalee, in his statement to the Commission mentioned as follows :

"They took my brother Velayutham Rajkumar, blind-folded with others and took them in 03 buses. I was about 100 yards from the bus. They said that they were taking them to Plantain Point Army Camp. They told me that my brother Rajkumar was there and will be released. I informed the I.C.R.C., Citizens Committee and made an entry in the Police Station, Trincomalee. They said they would inquire and let me know. I went once again to Plantain Point Army Camp and they said inquiry is still not over and he will be released after inquiry ".

03. Mrs. Kanagasingham Sellathangam of 1220, St. Mary's Street, Palayuthu, Trincomalee, in a statement to this Commission about her missing son told about the arrest of her son and said he was taken in a bus. She told Mr. Thavarajah, Peace Committee Member and he had told her that he will go to Plantain Point Army Camp and will be able to get him released after inquiry. " For 07 or 08 days I went to the Plantain Point Army Camp and asked for my son. They told me, they would release him after inquiry and to come on Friday".

04. Mrs. Anne Perpetua Joseph – wife of Varuki Antony Joseph, of 57 Kandasamy Kovil Road, Trincomalee whose husband was arrested during the Mc-Heyser Stadium round up stated to this Commission as follows :

".....Same day I went to the Army Camp at Plantain Point. They said. my husband will be released after inquiry. I made representations to the A.S.P. Pullanayagam, who telephoned Plantain Point Army Camp in my presence and Army told A.S.P. Pullanayagam that my husband will be released after inquiry. One K.M. Saleem, one of the persons who were released told me that he saw my husband 03 days in the Army Camp. He told me about this on the 17th, and Saleem was released on the 16th. He is my witness".

05. Mrs. Ummu Habeeba of 19/2, St. Antony's Lane, Trincomalee stated about the arrest of her husband who was a Grama Sevaka. He was arrested at the Mc-Heyzer Stadium on 11.07.90. Ummu Habeeba stated as follows :

"I say my husband was taken by Thassim and was put into the S.L.T.B. bus. Bus went to Plantain Point Army Camp. I immediately informed one Mr. Jeinudeen who informed me to come in the morning and that he will be released after inquir. I immediately went to Plantain Point Army camp and they wanted me to come on the following day. The following day I went and I was told he will be released after inquiry. Cpl. Jeinudeen and one Saleem of the Army were there. The first day, Jainudeen told me that he will be released after inquiry. I went continuously for 05 days and on the last day Mr. Saleem told me that everything is over and not to come again".

06. Mrs. Kulanayagam Thilairani of 368, Thirugnansampanthar Street, Trincomalee, in a statement to this Commission stated as follows :

"On 11.07.90, we were asked to be present at Mc-Hayzer Stadium; I also went. I saw my husband being taken into the S.L.T.B. bus by the Army. People said that they took him to Plantain Point Army Camp. I informed Mr. Thavarajah, Member of the Peace Committee and the following day I went to Plantain Point Army Camp. Thereafter I went to the Camp about 3 or 4 times and they told me that he will be released after inquiry."

The most damaging statement was given by Cader Mohideen Mohomed Saleem, Labourer at the Navy Civil Section. He is one of those fortunate enough to be released from the Plantain Point Army Camp. His statement is given in full as this might throw some light on what happened to those taken to the Plantain Point Army Camp.

"On 11.07.90. I was staying at Mosque Road; then there was an announcement that we should go to Mc-Heyzer stadium about 6.30 a.m. I also went to the Stadium at 7.00 a.m. When I was standing in the row an Army Officer came and told me to get into the bus. I got into the bus. About 20 people were in the bus. They removed my shirt and blind–folded me. More people got into the bus and the bus started off about 2.00 p.m. I cannot say where that took me. After half an hour ride we were asked to get down with our eyes tied. I was asked to sit. They assaulted me with a pipe filled with sand. It was not an iron pipe. They removed the shirt from my eyes. They brought water and gave us a drink, and they asked us to tie up the eyes again. I had to tie up my eyes properly. About 20 of us were put into a bathroom. I was asked whether I collected Rs. 25,000 for the L.T.T.E. I said no, then they assaulted me and asked me to Sign a document. Then we were blind–folded and taken into the bathroom again.

It was about mid-night. Then they tortured us by kicking us with their shoes in the chest, cutting my hands with a knife. We were sent back to the bathroom; we were bleeding then. We were asked to come out from the bathroom. About 25 of us were chained to one chain. Again they asked us to go into the bathroom. They asked us to sit on the floor which was wet. When one of the captives asked for water he was assaulted with a pipe and no one asked for water after that. There was a tub of soap water. I took the soap water and gave it to the captives to drink. An officer called Abdeen came there and wanted all the rings which were with us. Everyone removed the rings and gave them to him. I do not know the rank of the officer who robbed our gold rings. I can identify him. He threw away all the silver rings. The second time he came with another officer. They removed all the purses from our pockets which

contained our money. I lost a gold chain which was inside the purse and cash Rs. 3,700. All these things happened within about 10 minutes. Then they returned our purses with the few remaining coins having noted the contents of the card and the bicycle key. I was asked to sign for the purse. Then we were taken to the bathroom with the wet shirt and from there we were taken and put into the bus, and driven off for another 45 minutes. At the end of the journey 04 people had died inside the bus. One of them was Saravanabhavan known to me. The dead bodies were removed. At that time our blind–fold was removed. After another 10 or 15 minutes journey, we were asked to get down. We were taken into a house and asked to sit inside the House. They took an account of 28 people. At this stage my name was called out along with three others and we were taken to a separate place. Then I heard the sound of automatic gun fire. I realised that someone was being shot. I was taken out after a soldier told me that I was lucky and given a new sarong and was allowed to take a bath in the well. I was given a meal and then brought back to Plantain Point Army Camp. There I told an Army Officer- called Suresh Cassim that I was not involved in any money collection. They said that is why I was released".

The Commission asked the Army Commander, to hold a domestic inquiry and submit the report to us. The Army Commander, sent a report conveying the findings of the Military Court. The report is as follows :

(1) On the said day an Operation had been conducted by the Security Forces/Police to screen the people in the town having taken them to Mc--Heyzer Stadium. Subsequently the persons screened had been taken to another location, the details of which cannot be probed due to absence of records. Unfortunately late Major General Col. Wijeratne Commander 22 Brigade, Trincomalee at that time and late Mr. W.A.R. Wijesekera A.S.P. Operations, Trincomalee who could furnish details in this matter have fallen victims to terrorist activities. Captain Cassim the other officer who could have thrown light on this matter could not be traced as he had been discharged from the Army.

(2) Details of persons taken in for screening cannot be established due to non-availability of documents.

(3) The screening had been done by ~the Police and the Intelligence Section led by Captain Suresh Cassim, who has since been discharged from the Army.

2.10. **Opinion of the Court**

(4) The screening had taken place at the Mc-Heyzer Stadium, Trincomalee, on the 11th July, 1990 by the Police and some Army persons supposed to be from the Intelligence Section. The exact number of persons taken into custody cannot be ascertained due to lack of evidence and non maintenance of proper records during the relevant period. Neither was there evidence documentary or otherwise to ascertain the identity of troops who conducted the said operation.

(5) It appears that during the period under review there had been a chaotic situation due to intense terrorist activities that had taken place with the out break of

Eelam War II, resulting in the administrative machinery coming to a stand-still and proper documents not being maintained. Nevertheless considering the exigencies of service that prevailed during the said period the lapse may be understood.

G.H. de Silva Commander of the Army added that –

"I too am aware of the chaotic situation that prevailed during the relevant period with the outbreak of the Eelam War II that was so sudden taking everyone unawares which may have caused the administrative machinery to come to a stand-still."

It is not understood why the Court of Inquiry refers to absence of records. Mr. Thavarajah of the Citizens Committee had provided the Army with the list of those arrested by them. Then again the Army has mentioned that those arrested at the Stadium "had been taken to another location." It is not understood why the Army is so coy about a reference to the Plantain Point Army Camp. They are studiously avoiding any mention about the Plantain Point Army Camp. From the statement given by several witnesses, the Commission can surmise as to what happened to those taken into the Plantain Point Army Camp. There were several instances of witnesses claiming that those arrested have been taken to undisclosed detention camps. This Commission wrote to the Ministry of Defence to supply the Commission with a full list of such camps and the names of those detained there.

The reply came from the Operational Head Quarters of the Ministry of Defence that "there are no undisclosed detenton camps maintained by the Army in existence." – Annexe D

The other alternative is to think the unthinkable and to assume that these detainees were subject to extra judicial killing by the Army. This aspect of the matter needs investigation by the C.I.D as no civilized society can overlook massacres of this proportion especially by its own security forces.

Apart from the spectacular arrests in the Mc-Heyzer Stadium and in the Base Hospital, there are lot more arrests which have to be examined to find out the reasons for the arrests, those involved in the arrests and to whether charges can be maintained and proved against them.

We cite 03 arrests which are representative of the chain arrests that occurred in Trincomalee.

(1) 15 people were arrested by China Bay Police and evidence was forthcoming to implicate the Police in killing and burning 05 of the arrested persons:

Kumaran Thanarajah, Age 23, Driver, married, was arrested by China Bay Police on 04th July, 1990. His father saw his son in the custody of the Police. Then he heard some gun shots and saw some burning tyres and 05 people who were arrested were never seen after this.

Sivalingam Jeyarajah of Karadipooval, China Bay, stated in evidence as follows:

"On 04th July, 1990, our village was rounded up by the Police by about 5.15 a.m. 16 persons including myself and Thanarajah were taken to the Police Station. After some time we were taken inside the Police Station. He was taken behind the Police Station and after a few minutes we heard some gun shots. Then afterwards we saw some flames coming from burning of tyres. From a window I saw some human bodies were burnt. Then we were put inside a cell and released after that. Out of the 15 arrested in all 05 were taken behind the Police Station, and all those five are missing. Before they were being taken away the Police assaulted them mercilessly and I saw them being assaulted.

(2) The arrest of Miss Noel Annammah attracted lot of international attention. She was arrested by the Harbour Police, Trincomalee on 02.08.90, and after 03 days she was released. Then on her way to the Post Office she was arrested by the Police again and was released after a few hours. Her sister went to escort her back home. On their way home, Police came by bus and abducted her again. Her sister went to the Police Station to report about this arrest. She was informed that the O.I.C. was sleeping and was asked to come again. The Police refused to record her statement. Nothing was heard of Miss Noel Annammah after that.

(3) The case of Sahul Hameed Salaldeen is another instance of needless cruelties inflicted by the Army.

A portion of his father's statement is given below:

"We were at the Muthur Maha Vidyalayam as refugees during the trouble on 21.07.90. The army along with Muslim Homeguards came there and took my son to the upstairs of the school. I could not see but heard that the army assaulted him in the night and in the morning the army took him in a tractor towards Kinniya. Then my nephew Saleem who went to Kinniya Army Camp saw him detained there. I spoke to the Commander of the camp about the release of my son. The Commander wanted the clothes for the son and also asked me to come on Sunday. On Sunday when I went to see my son someone from the camp came home and told us that our son is dead and asked us not to come. I asked for the body from the person who came and told me. He said that the body has already been buried. I have not made any complaint at any police station and the death of my son has not been registered. I can bring the nephew before the Commission as witness. I have six children and all are going to school. I request the Commission to grant me some relief. I still believe that my son must be living somewhere. I request the Commission to trace him."

The Commission could not look into these serious allegations due to time constraints. We however give a schedule of the arrests which cry aloud for investigation. Please see annexure - E in volume II . We feel this is a task for our successor Commission.

CHAPTER 3

BATTICALOA DISTRICT

Total number of complaints of arrests and disappearances in the Batticaloa District, inquired by this Commission is 1219. The Ethnicity pattern of the arrested and disappeared persons is shown in Table I and Figure 1.

Table I

Ethnicity of Arrested and Disappeared Persons

Year	*Tamils*	*Muslims*	*Sinhalese*	*Burghers*
1988	10	12	—	—
1989	19	04	—	—
1990	677	59	15	05
1991	219	05	01	—
1992	96	09	02	—
1993	47	—	—	01
1994	17	03	—	—
1995	13	02	—	—
1996	02	01	—	—
Total	1,100	95	18	06

According to Table I, 90% of the disappeared persons are Tamils. and 8% Muslims and 2% Sinhalese. Table No. II and Figure-2 show the age group of the disappeared persons.

Ethnicity of Disappeared Persons

Batticaloa District

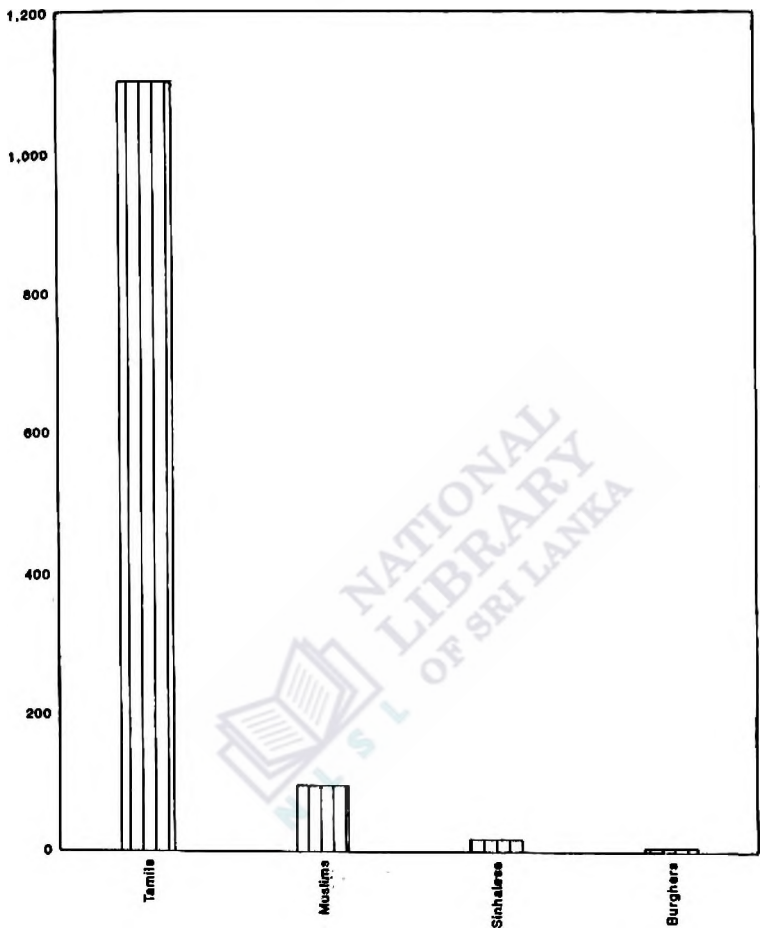


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Fig. II

Age Groups – Disappeared Persons

Batticaloa District

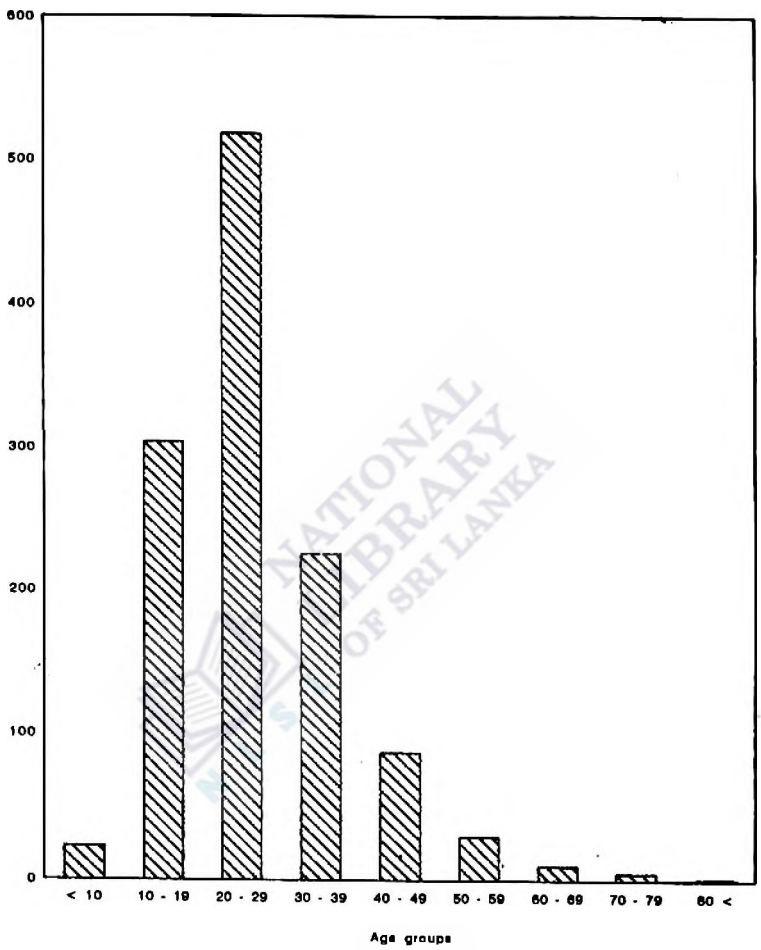


Table II

Age groups - Disappeared persons

below								*above*
10 yrs	10-19	20-29	30-39	40-49	50-59	60-69	70-79	80yrs
23	309	523	231	87	30	10	05	01

70% of the disappeared persons fall into the age group of 29 years or less, while 30% are over the age of 29 years.

3.1. **Social Background of the Disappeared persons.**

Given below is the Civil status of the disappeared persons.

Table III

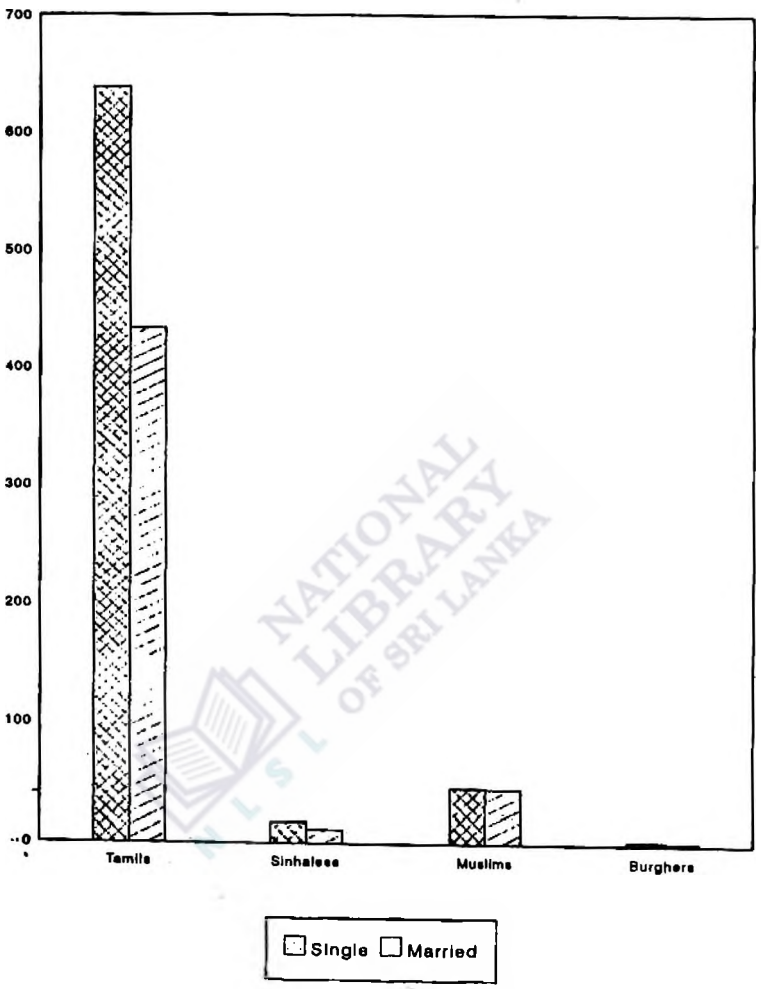
Civil status - Disappeared persons

Tamils		*Sinhalese*		*Muslims*		*Burghers*	
Single	*Married*	*Single*	*Married*	*Single*	*Married*	*Single*	*Married*
648	444	20	11	46	45	03	02

As a whole 58% of the disappeared persons are not married while the remaining 42% are married.

Civil Status — Disappeared persons

Batticaloa District



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According to the monthly income of the disappeared persons declared to the Commission, 90% of those arrested were earning an income of less than Rs.1,500/= per month and most of them were employed as Agricultural Labourers, or engaged themselves in self employment viz.: small scale cultivation, fishing etc. Less than 5% were engaged in small scale business while less than 0.5% were Government servants.

Following characteristics were identified from the relationship between the complainants and the disappeared persons.

(*a*) 50% of the reported disappearances had been filed by parents of the victims.

(*b*) 40% of the reported disappearances had been submitted by wives of the victims and

(*c*) the balance 10% represents the others such as grand-parents, brothers, sisters and Neighbours.

3.2. Year of Disappearances

Table IV and Fig. 4 show the frequency of arrests and disappearances during 1988 - 1996. in the Batticaloa District

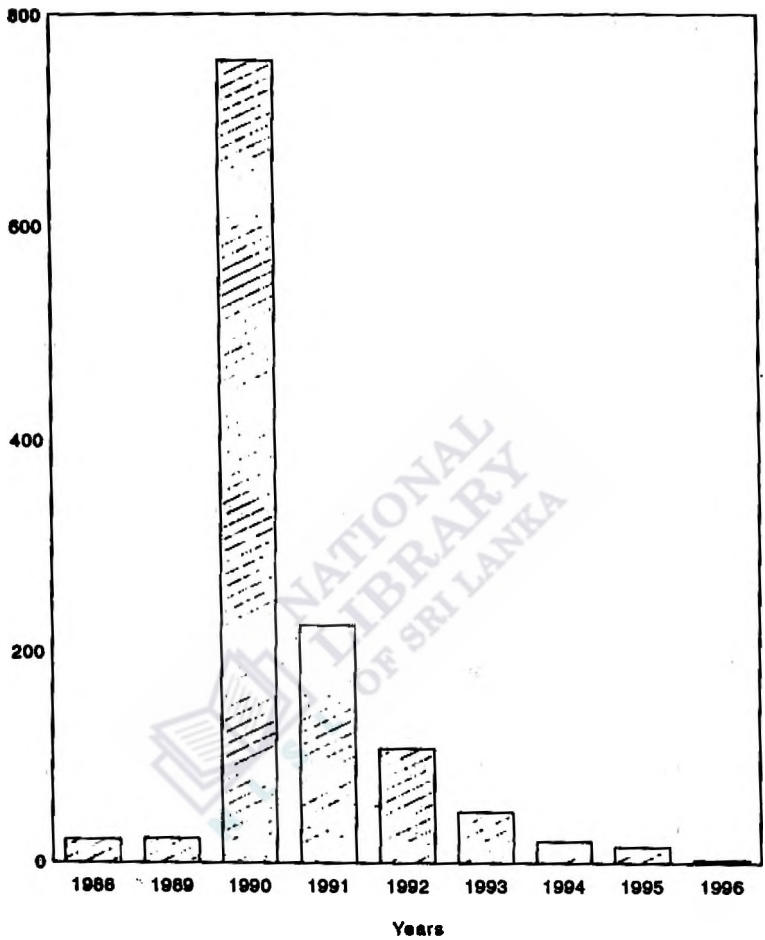
Table IV

Disappearances during 1988 - 1996

1988	1989	1990	1991	1992	1993	1994	1995	1996
22	23	756	225	107	48	20	15	03

Frequency of Arrests and Disappearances

Batticaloa District



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According to table IV, 801 of the disappearances had taken place during 1988 - 1990 and 418 of the disappearances occurred after 1990. 90% of the disappeared persons are Tamils and the rest (10%) belong to other ethnic groups. Majority of these disappearances (62%) occurred during the year 1990.

3.3. Distribution of the Disappeared Persons

The distribution of the disappeared persons in the Batticaloa district is shown in Table V.

Table V

Divisions	*Percentage Values of Disappeared*
Manmunai Pattu	2.2
Manmunai South	6.5
Porativu Pattu	5.8
Manmunai North	18.3
Koralai Pattu West	3.8
Koralai Pattu	21.9
Manmunai South West	0.3
Kattankudy	0.6
Manmunai west	1.2
Eravur Pattu	39.4

3.4. Agencies and Groups identified as Responsible for Arrests

The following agencies and groups were identified as responsible for the arrests:

Army	64%
Unknown Persons	10%
S.T.F.	05%
L.T.T.E.	02%
Others	19% (See Fig. 5)

PLOTE, TELO, EPRLF, GREEN TIGERS, SRI LANKA POLICE and HOME GUARDS, come under the "Others " mentioned above.

3.5. Patterns of arrests and Disappearances

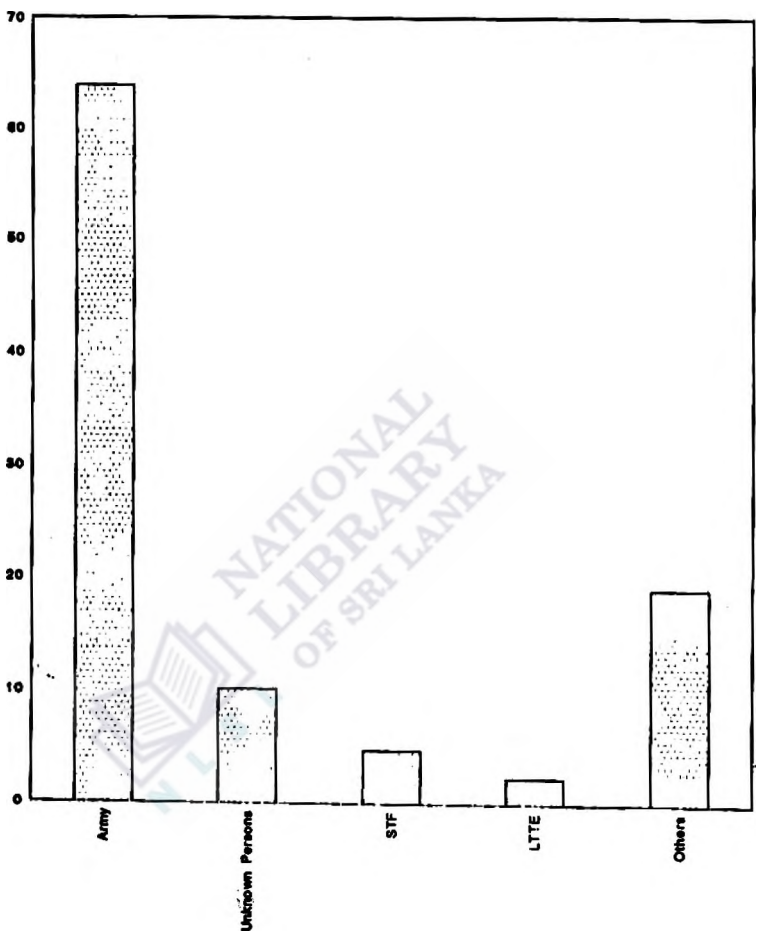
The arrests and disappearances in this District could be conveniently grouped under 5 major categories viz.:

(1) Arrests made under Cordon and Search operation;
(2) Arrests made from the Refugee Camps ;
(3) Arrests made in the High seas;
(4) Other arrests;
(5) Disappearances.

Fig. V

Authorities responsible for Disappearances

Batticaloa District



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'The following group arrests and subsequent disappearances in this District have been inquired by the Commission.

(*a*) Arrests and subsequent disappearances from the Vandaramoolai Eastern University Refugee Camp; (Annexure "F" in Vol.II of this report)

(*b*) Arrests and subsequent disappearances from the Village of Sathurukondan and other Villages; (Annexure" in Vol. II)

(*c*) Arrests and subsequent disappearances from Sittandy Murugan Temple; (Annexure "I-I'' in Vol. II)

(*d*) Arrests and subsequent disappearances from the Kommathulrai Army Check Point; (Annexure "1" in Vol.II)

(*e*) Arrests and subsequent disappearances from Batticaloa Town and adjoining areas;

(*f*) Arrests and subsequent disappearances from the Town of Chenkalady;

(*g*) Arrests and subsequent disappearances from the Town of Eravur;

(*h*) Arrests and subsequent disappearances from the Town of Valachcnenai;

(*i*) Abduction by L.T.T.E. Unknown Persons and subsequent disappearances ;

(*j*) Disappearances from~ the Police stations;

(*k*) Arrests made by Special Task Force personnel and subsequent disappearances.

3.6. Arrest and subsequent disappearances from the Vantharamoolai Eastern University Refugee Camp ;

The arrests from the Vantnlaramoolai Eastern University refugee camp was the biggest group arrest of this District. The arrests of took place on 5th September and 23rd September, 1990. 158 persons were arrested on the first day, while 16 were taken into custody on the second day. A list containing the names of 158 persons who were reported to have disappeared was produced before this Commission and 83 witnesses testified to the disappearances of 92 persons, out of the 158 reported above. Also evidence was given regarding 10 of the 16 persons who disappeared On the subsequent arrest.

According to the evidence, nearaly 45,000 people had taken refuge since July 1990, following the outbreak of violence in the vicinity of the said University. The refugee camp was administered by Professor Mano Sabaratnam, Dr. Thangamutthu Jayasinghan and Mr. Velupody Sivalingam and supported by the Non-Governmental organisations during this period.

On 5th September 1990, by about 6 o'clock in the morning Army men from Kommathurai army camp along with personnel from some other army camps as well

came in a SLTB bus and entered the permises of the Eastern University. This was followed by an announcement by an amplifier fitted to a white coloured Van asking the refugees to form into three different queues - persons of the age group of 12 to 25 in the first row, persons of the age group of 26 to 40 in ~the second row and persons over 40 years of age in the third row. People in the three queues were asked to pass through a point where five persons in masks clad in army uniform were seated in chairs along with seven Muslims, standing behind those in masks.

Whenever the persons in the masks gave a signal, the people who were in the queues were taken away from the queue to a side. When this operation was completed, 158 persons who were pulled out from the queues were taken away by the Army despite the protests by their kith and kin. There was evidence to show that the arrests were done by the Kommathurai Army camp with the assistance of personnel from other army camps as well and that the following Army officers were directing the operations.

Capt. Munas

Capt. Palitha,

Capt.Gunarathna,

Major. Majeed, and

Major. Monan.

There was also evidence to show that Gerry de Silva had visited the refugee camp on 8th September, 1990 and had told the Officers responsible for the administration of the refugee camp that all the 158 persons who were taken into custody on 5th September, 1990 were found guilty. However he had declined to say what had happened to them after they were found guilty.

There was further evidence to say that one of the officers who were in charge of the refugee camp made a request to the army personnel in charge of the operations, to give a list of persons arrested for which there was no response.

It also transpired in evidence that Mr. Thalayasingam Arunagirinathan, the Chairman of the Peace Committee had received a letter in October 1990 from Mr. A W. Fernando, Air Chief Marshall, who was then the Secretary to the Hon.Minister of State for Defence wherein it was stated that on 5th September, 1990 only 32 persons were taken into custody from the Eastern University Refugee camp and that all had been released within 24 hours of arrest. The letter contained a list of 32 names who were alleged to have been released. However the Commission was informed that none of those who were arrested had returned either to the said refugee camp or to their homes but still remain missing.

3.7. Arrests and subsequent disappearances from the village of Sathurukondan and other Villages:

The group arrest that took place at the Sathurukondan village on 9th September, 1990 needs special mention here. On this day 184 persons had been taken into custody in this village. Several important documents were submitted to the Commission during inquiry and among these documents was one sub mitted by Patricia Lawrence of Denver Law school USA. It has been included in Annexure-'J' .1 in Vol. 11 of this report.

Regarding the above group arrest the Commission listened to the testimony of 63 complaints relating to the disappearances of 72 persons. Most of the persons who disappeared during the incident were from the villages of Saturukondan, Pillaiyarady, Panichchaiady and Kokuvil.

According to the evidence given by the complaints. Army personnel attached to the Sathurukondan Boys Town army camp entered the villages of Saturukondan, Pillaiyarady, Panichchaiady and Kokuvil by about 6 p.m. on 9th. September, 1990 and ordered the people to come to the army camp for an inquiry that was to be held by the Chief of the army camp. The male of the members of the households fearing arrest hid local themselves leaving the children and the females in their houses thinking that the army will not harass them. I-however the army ordered all those who were in their houses irrespective of the fact whether they were infants children, females aged or disabled to come out of their houses and when they had assembled outside their houses marched them along the road into the army camp.

Out of those taken into the camp, four persons namely Kandasamy Krishnakumar, Jeeva, Sinnathamby and one Kumar were taken to the backyard of that Army Camp. They were ordered to lie down on a cadju tree log and were assaulted. Among the said four persons, Kandasamy Krishnakumar had managed to escape from the camp with stab injuries and the fate of all others was not known.

The only surviving witness Kandasamy Krishnakumar came forward to testify before the Commission and his evidence is reproduced below:

"Kandasamy Krishnakumar, Hindu, 27 years, Ceylon Tamil, Washerman, Pillayaradi, Kokuvil . Affirmed.

In Sep.1990 during the time of disturbances I was residing in a place called Kokuvil. Pillayaradi. I am not married. On 9.9.90 at about 6 p.m. army men in uniform brought many people and said that the chief of army would come there and an inquiry would be held. All these people were taken to, Sathurukondan Boys Camp. There were about 1,000 people in the camp with me Four persons including me were taken out of the crowd. All 4 of were brought to the back side of the camp. After We had been brought to the camp our hands were tied and eyes were also covered. The other 3 are Kumar,

Sinnathamby and Jeeva. Those 3 persons are missing. We all 4 of us were assaulted, and we were ordered to sleep on the cashew log and we were ordered to keep silence. We did not open our mouths. I was stabbed on the chests. (He shows the injuries) I was stabbed twice. I ran out at about 3 a.m. in the night and till then it was bleeding. I went to the hospital on the following day and I was in the hospital for 3 days only.

The army men Started coming in search of me to the hospital and I was allowed to stay in the hospital. Peace Committee men discharged me from the hospital and kept me at St. Michel's College, Batticaloa. From there I went to Valayeravu and stayed with my aunt. All the people were cut and heaped. After I was stabbed I fell unconscious and regained consciounsness after sometime. I saw about 10 people lying stabbed. I do not know their names. Signed"

Several others who appeared before the Commission testified to the fact that they heard gunshots and noise caused by branches of trees, falling down children crying out in agony and women crying in pain. This was followed by smoke coming out from the camp.

We reproduce below the evidence of Mr.Kandiah Sivakolunthu Principal of Ganesha Vidyalayam, Karayakkan Theevu and Mr. Augustine Pillai, Philip retired Electrical, Superintendent recorded on 1.5.95. This evidence was more revealing and shows in better light the incidents which happened in that village on that fateful day. Kandiah Sivakolunthu] Hindu, 37 years, Ceylon Tamil, Principal of Ganesh Vidyalayam Karaiyakkan Theevu, residing at Sathurukondan affirmed.

"On 9.9.90 my wife children and 1 were living in a rented out house in Batticaloa town At that time my father-in-law, sisters-in- law brothers-in-laws and children were residing at Sathurukondan. I was in the habit of going to Sathurukondan every day or on every other day to bring provisions. On the date of the incident I went to Satllurukondan at about 11 a.m. While I •was there after lunch I was able to observe a person wearing shorts and a red coloured short sleeved shirt riding on a bicycle in that area. There was a Kris knife placed on the handle of the bicycle. He was a person new to the village and not from the village. At that time as I was a young person my father-in-law and people asked me not to stay and go away. It was then after 4 p.m. Thereafter my wife and my children and I went on a bicycle to my house at Sathurukondan colony. While I was there it was 5 p.m. I saw some people in army uniform and some in civil and armed taking away some people along with them. We were inside the house and saw through the window. While I was there I heard cries of children women and people crying in pain and also conflagration and gun shots. All these I heard from the Sathurukondan Boys Town Army camp. The distance from my house to the camp is about 1,000 metres. Following morning I came to the place where my father-in-law lived and I found them missing and I saw Bata slippers were there. I contacted a police officer who worked in Batticaloa. He told me that there was a person who was in charge of this camp, by the name of Warnakulasooriya. This Police officer told that person had not done anything at all. I say that 10 members of my family are missing. my father-

in-law 77 years old, 7 years old named Sulosana, Thulasi aged 3 and a child Suboshini 1 1/2 years old. On inquiries I have been told that all of our members were taken to the camp. Persons who go to trace cattle have told me that there are still skulls and bones of men. I have informed Police ICRC Peace Committee. I have not gone in to see the bones as the army camp is still there."

"Augustinpillai Philip, Christian, 53 yrs. Retired Electrical Supdt. 24, Panichayadi, Pillayaradi N. P. Batticaloa. Affirmed.

My step son Thangavelu Jayakumar has disappeared. He was 08 Yrs. at that time. On 9.9.90 he had gone towards Kokuvil for games. He did not return. I saw some people passing my house. I saw some Army men moving with people who have been arrested. I went and hid myself in a -bush. It was 5.30 p.m. at that time. 1 saw these 19 people being taken away by the Army men. These people were from Panichlayadi. My step son was one of them. I saw these people being take through Kokuvil and towards Pillayaradi. When I came home with another lady, I went with my wife to the compound adjoining Sarvodaya office and waited there.

I heard childrell crying and grown up people saying " I don't know, I don't know". Therearter I heard shots. I stayed at that spot for about half an hour. I do not know what happened thereafter. These cries and other screams were heard from the direction of Boy's Town Army camp.

Through fear I ran to Muhathuwaram with my wife. Thereafter on the following morning I complained to the ICRC. They said they had no permission to go and see there. I went to the Bishop's House to meet his Lordship. One Mr. Sebamalai, a member of the Citizens Committee and I spoke to him. Mr. Sebamalai teleponed the Brigadier, Batticaloa. Brigadier said to have two witnesses ready to go and see what hapened at Boy's Town camp. Those witnesses, Brigadier, the Captain of the Army and his men went to the Boy's Town. Mr. Sebamalai also accompanied the Brigadier. These two persons were asked to see the place. Singarajah had picked up one of the slippers of his wife and there were also pairs of slippers".

3.8. **Adverse effect of the incident and the persons responsible for the Incident:**

Patricia Lawrence in her letter stated that in May, 1994 the people living in Thannamunai had observed that soldiers were seen removing bones from the main ditch at the site of the massacre and burning these bones for the second time.

Col.Percy Fernando, the first officer in charge of 5th Vijayaba Regiment under whose purview the said four villages came during the period material to the inquiry and Capt. Gamini Tissa Warnakulasooriya who was OIC of the army camp at Sathurukondan, cited by the Commission also gave evidence.

Col. Percy Fernando, in the course of his evidence, said that on the instructions of Brig. A.M.U. Seneviratne who was then in charge of Batticaloa District, he went to the said Camp on the 10th September 1990 with two civilians namely Sebamalai of the Peace Committee and one Singaraja and went around- the camp for one and a half to two hours. He further said that he did not notice of struggle, any signs of blood stains or any dead body, slippers or clothes. He also said that nobody was detained there and that they do not keep any detainees at the said camp. He further said in evidence that he is an officer specially trained in checking top-signs and middle-signs and that the member of the Peace Committee had expressed his satisfaction with the manner in which he had conducted the search.

Capt. Tissa Wanakulasooriya in the course of his evidence said that he was the officer in charge of the said camp on the dale material to the inquiry. On that date he had 3 officers under him and one was on leave. The names are (i) Capt. Wijenayake, (2) Mr. Herath, now Captain, and Mr. Dissanayake, now Captain.

His evidence was a complete denial of any arrest or detention or search operation. According to him, nothing has happened on the said day in these villages.

3.9. **Arrest and subsequent disappearances from Sittandy Murugan Temple;**

The arrests from the Sittandy Murugan temple refugee camp was yet another group arrest which took place in the Batticaloa District, on 2. 8 .1990, 21.8.1990 and 24.12.1993. The total number of persons arrested on these three days was 52.

15 persons gave evidence regarding the arrests made on 2nd August 1990, 30 persons gave evidence about the arrests made on 21st August, 1990 and two persons testified regarding arrests made on 24th December 1993. 'The refugees in the Sittandy Murugan Temple were mainly from the village of Sittandy, Morakotanchchenai, Chenkalady and Kiran.

Evidence revealed that the victims of these arrest pleaded with the army personnel about their innocence but their pleas fell on deaf ears. Even the relations of these unfoltunate victims, who appealed for their release, were assaulted and chased away by shots being fired in the air. Among the Victims, were students and youths, who were the sole breadwinners of their families. None of the arrested 52 persons returned to their houses, nor could their whereabouts be traced.

The agents of this massacre were identified as the personnel from the army camp at Morakottanchenai.

3.10. **Disappearances from Kommanthurai Army check point**

Kommathurai Army check point is located in Kommathurai village on the Colombo Batticalao road. This is controlled by the Kommathurai Army camp.

Complaints were received regarding arrests of 20 persons by members of the armed forces at the Kommathurai check point and their subsequent- disappearance, during the period August to December, 1990. It would pear, from evidence led~ that all those who were arrested were passing along this check point, on legitimate business. Those arrested are categorised below:

(*a*) Persons who were travelling to Batticaloa from Colombo to see members of' their families or returning to Colombo.

(*b*) Labourers and fishermen who had to pass through this check point in their daily travel within Kommathurai village.

(*c*) 'Those who crossed the check point to reach the hospital for treatment. (d) Students who passed the check point.

According to evidence led, none of the arrested their was released and their whereabouts were also not known, to date.

3.11. **Disappearances from the Town of Chenkalady :**

From 1990 to 1994, Chenkalady was the scene of several search and arrest operations. 43 persons were arrested during these operations and taken away and that was the last that was heard of them. Annexure 'K' in Vol. II shows the names of these 43 persons. The following agencies and groups were reported to have been responsible for the arrests made in the town and she percentage of such arre made by each Group is given below:

Sri Lanka Army	86%
TELO	06%
PLOTE	04%
Sri Lanka Police	02 %

The Sri Lanka Army was responsible for the majority of the arrests. These arrests have reportedly been conducted by security personnel of the following camps.

(1) Kondawattuwan, (2) Ampalathady, (3) Urani, (4) Chenkalady, (5) Vandaramoolai,(6) Kommathurai, (7) Kumburumoolai, (8) Morakotanchenei, (9) Eravur, (10) Unnichchai. These arrests have taken place while the persons were at home or were going to their workplaces to attend to their daily needs or when they were grazing their cattle. As mentioned earlier, the Commission could observe a uniform trend in the frequency of these arrests, 1990 being the peak year of arrests.

3.12. Arrests land disappearances from the Town of Eravur:

Several disappearances occurred in Eravur too. During 1990-1996, 25 persons were arrested at several places in this town and Army personnel were responsible for these arrests.

Most of these arrests had taken place when these villagers left their residence to attend to their daily work In addition round-ups conducted at this town also contributed to some of the disappearances.

1990 was the peak year of the arrests and subsequent disappearances of the villagers in Eravur. And none of these arrest persons were released and their whereabouts are not known upto-date.

3.13. Abduction by L.T.T.E. Unknown Persons and Subsequent Disappearances :

3.13.1 Abduction by the L.T.T. E.

14 complaints were received by the Commission regarding abduction of family members of the complainants by the L.T.T.E. cadres and all the disappeared persons were Muslims.

Most of the disappeared persons were from the age group of 20-35 yrs. and all these persons were abducted from the Kattankudy village.

Most of these disappeared persons were engaged in business and they were abducted either on their way to business in Kalmune or while returning from Kalmunai. (see annexure 'L' in Vol. II).

3.13.2 Abduction made by Unknown persons :

This category of compalaints was made by family members of the disappeared person's, regarding abduction by unknown persons. Total number of 120 complaints were submitted and 73% of the victims were Tamils, 24% were Muslims, while the rest (3%) were Sinhalese-vide Annexure L-1 (Vol. II of the report).

Complaints regarding abduction by un-known persons were received from persons of the villages of Kattankudy, Periyaporative, Valachchenai, Kokoddicholai, Kallady, Meeravodai, Mandur, Kaluwanchikudy, Chenkalady and Oddamavadi.

These incidents occurred during the period 1988-1993. It was observed that 1990 was the peak year, when 50% of the incidents had taken place. Most of the victims were abducted from their houses while some were taken away on their way to work. It was stated in evidence that about 10% of these abducted had been killed and the bodies were found, while the fate of the remaining number is still not known.

3.14. Disappearances from the Police stations in the District :

On 11.06.1990, the following police stations were attacked by the L.T.T.E. cadres. (1) Batticaloa, (2) Valachchenai, (3) Kalkudah, and (4) Eravur.

As a result of these attacks several Sinhalese, Tamil and Muslim Police personnel attached to the above Police stations were killed and some had disappeared. Most of the disappeared constables were Sinhalese and they hailed from Anuradhapura, Kurunegala, Kalutara and Matara districts. The list of the disappeared Police personnel is shown in Annexure 'M' (Vol. II).

3.15 Arrests made by Special Task Force Personnel and subsequent disappearances :

The Commission found, from the evidence given by affected parties that the STF officials were also responsible for some arrests and subsequent disappearances which occurred in this District. 48 persons had disappeared after having been taken into custody by STF personnel. These 48 victims were from the following 15 villages. Viz : Kalawanchikudy, Eruvil, Kallar, Thurancelavanai, Koddaikallar, Batticaloa Town, Kokkaddisolai, Kathankudi, Periyakallar, Periyaporathivu, Mandur, Bakkiella, Nellikadu and Ariyampathy.

The arrests were made during 1990-1994. 1990 was the peak year, with 54% of the total arrests being made during the above period while 17% were arrested in 1991.

Most of the victims were in the age group of 19-35 years and they were mainly labourers, fisherman, wood-cutters etc. There were some students, as well among the victims. Some of them were arrested under cordon and search operations while the rest were taken into cutody either on their way to their working palces/schools or on their return.

The following STF camps played a major role in those round-ups and subsequent arrest :

(1) Periyanceiavanai, (2) Maruthamunai, (3) Thettathivu, (4) Thuraineelavanai, (5) Kalmunai, (6) Karativu (7) Mandur, (8) Kalawanchikudy, (9) Chenkalady, (10) Eravur, (11) Valachchenai.

The names of the following security personnel were mentioned by the complainants, when the Commission conducted inquiries.

(1) Soysa,
(2) Davulagala,
(3) Weerasekara,
(4) Capt. G. L. Perera.

On several occasions parents of the victims, visited the S.T.F. camps where their children were taken, and had made inquires. It was revealed in evidence, that they had met with no response from the security personnel.

Annexure 'N' (Vol. II) gives the names of such persons arrested by the S.T.F.

3.16. **The Batticaloa Town and Townships on the Kalmunai Road :**

With the increasing incidence of terrorist activity, Batticaloa town has become a security fortress. The Police station area in the heart of the town is surrounded with check points. The Kallady Bridge famed for the strains of the singing fish is the main approch to Puliyantheevu from the South. There are strong check points on either side of the bridge. The Kachcheri and Residency areas are military encampments which include the Weber stadium. The Airport area is heavily guarded with check points.

Terrorists create violent disturbances by shooting at Security personnel or flinging grenades at check points. The security forces in turn undertake round up operation and resort to mass arrests to identify the culprits. This has led to the disappearances of many persons. The evidence shows that security personnel have entered homes besides apprehending persons on the road at all time of the day. In this bustling town many shops and market stalls exist and people mill around attending to their daily chores buying provisions, getting to their places of work. Many Government officers are situated in various locations in the town. People are constantly on the move to get to the offices. In this situation of busy civilian traffic there erupts sporadically violent incidents with gunfire and explosion resulting in death and injury to many an unfortunate passer by.

Kattankudy and Arayampathy lie on the outskirts of Batticaloa on the Kalmunai Road. Kattankdy is a totally Muslim settlement. Sociologists have noted that it is most the densely populated township in the whole country. There has been friction in the Southern border of this town and the Tamils of Arayampathy. As a result persons have been arrested and many have disappeared.

There is much movement of people from Kattankudy for business purposes to Kalmunai in the South and Batticaloa, Valachchenai and Kadurawela near Polonnaruwa. When disturbances break out the unfortunate travellers on the road fall unwitting victims to the toruble makers and the security forces.

On 12.07.90 – Unknown persons suspected to be Tigers had waylaid a large number of Muslims returning from Kalmunai to Kattankudy and Batticaloa at a place called Kurukkalmadam. It appears to be a planned robbery and abduction. Apart from the money they were carrying the persons themselves were abducted and disappeared without trace. The dependants of these victims requested the Commission to trace

them. Our inquiries from the I.C.R.C. evoked only negative responses. They had no information of the abduction from any insurgent group. The details of the victims are shown in the appendix annexed as persons arrested by Tigers at Kurukkalmadam. Annexure 'O' in Vol. II.

Chettipalayam and Kaluwanchikudy are two adjoining Tamil townships on the Kalmunai Road. There have been security camps and check points in these places. Complaints have been made by the Public that there have been arrests. There has been no instance reported of release of any of the persons arrested by the security personnel. The security personnel are mainly from Special Task Force stationed in these areas. The witnesses have referred to personnel from specific camps. Certain names have transpired as being persons in charge of the camps.

Mandur is an ancient settlement with a famous Murugan Temple situated there. The people are mainly agriculturists. They are predominantly Tamil and have nurtured Saivaite culture for a long time. Camps have been sighted in the vicnity by security forces and there have been raids by tte Kondawattuvan Army into this village. Several arrests and disappearances have been reported.

Kaluthavalai near Kaluwanchikudy with a Tamil population has been an agricultural area with a Pillaiyrar Temple as a nucleus of their religious activity. Arrests by the Special Task Force have been reported from this area.

There had been a renowned church of St. Judges where treatment for psychiatric problems is done at a spiritual level. Arrests from the refugee camp near the Church by the S.T.F. have been reported. We hereby list them in the Annexure 'P' – Vol. II of this report.

3.17. **Valaichenai :**

Valaichenai is a town which lies on the Batticaloa-Polonaruwa road. There is a slight predominance of Muslim population over the Tamil people in the town itself. In the surrounding regions of Sittandy, Chenkalady, Kiran, Morakottanchenai and Vantharamoolai, the Tamil population is predominant. Towards the Eastern sea coast lie the villages of Mankerny, Vakarai, Pannichankerny and Kathiraveli.

The army is located in Kommaturai where there is a check point and other army camps are located in Valaichenai itself and other strategic places down the road. Between Batticaloa and Valaichenai is located the town of Eravur where there is an equal distribution of Muslim andTamil population.

There has been constant outbreaks of disturbances in these areas because the terrorists have their camps in the surrounding jungles. Pulipanchakal on the Chenkalady-Badulla road has been a tiger camp from where most attackes have originated.

The incidents reported from Valaichenai and the other areas set out above have been the outcome of frequent attacks and clashes between the insurgent elements and the security forces and the Police. There have been major attacks on both the police stations at Valaichenai and Eravur. Smaller police posts strategically located have also come under attack.

Owing to these frequent clashes a large number of civilians have disappeared or got killed. Many deaths have occurred in the cross fire. Many have been arrested and disappeared thereafter. The Muslim home guards formed to help the security forces have arrested and handed over persons to the army camps. In turn they have been the victims of iolated attacks.

The Valaichenai Petrol Shed Camp has been constantly referred to by the complainants, where ordinary people, who go about the Valaichenai Market in their ordinary daily pursuits, were arrested and detained never to be released. This camp had indeed gained some notoreity in this regard. The Annexure 'Q' (Vol. II) would show the persons arrested and not released in this camp.

Kiran which has been the scene of a major attack on an army camp has been a place where numerous cases of disappearances have been reported. It is an area where there is a large agricultural community. A good number of people do fishing too. Moraktotanchenai is an adjoing village where too a large number of arrests and disappearances have been reported after security round up.

Chenkalady which includes the ancient village of Sittandy is an agricultural township. The road from Badulla through Maha-Oya meets the Colombo-Batticaloa road at this point. The people are mainly Tamils. The Sittandy Murugan Temple is situated near Chenkalady. In this temple a large number of Tamils had sough refugee. There was evidence led before us that the Army had entered the premises and picked up members of families huddled as refugees and taken them away. The anguished pleas and wailing of mothers, wives and relatives were met with assaults, threats, and pronouncements that they will be released after inquiry. Such assurances have been in the main hollow and eroded seriously the credibility of the Security Personnel.

In Vakarai, Mankerny and Kayankerni the largely fishing community have been subjected to security round up and a large number of persons have been arrested and caused to disappear. The terrorists in turn have been frequently attacking security posts causing death and injury among the troops. Kalkudah has a largely fishing community where Sinhalese settlers have intermarried and lived for long periods among the predominantly Tamil people. A number of people have been arrested in this area and have disappeared since. There have been instances where even Sinhalese people have been arrested and not released.

Kokadicholai and Palugamam are two adjoining villages near Batticaloa. Both these villages are agricultural villages with a predominatnly Tamil population. Arrests and disappearances in these areas have been reported.

A list of such arrests is found in Annexure 'R' in Vol. II of this report.

CHAPTER 4

AMPARA DISTRICT

The Commission held its sittings at Ampara from 01.03.97 to 07.03.97 at the Ampara Kachcheri and from 20.04.97 to 22.04.97 at the Divisional Secretary's Office (Tamil Division) Kalmunai.

During the Sittings in Ampara between 01.03.97 and 07.03.97 there was comparative peace in the area but it was brought to our notice that a large number of persons were still harbouring fears of earlier abductions and killings in Ampara and it was suggested that sittings be held in Kalmunai as well. The final sittings were held at the Divisional Secretary's Office at Kalmunai from 20.04.97 to 22.04.97.

Sittings were also held in the Conference room of the Ministry of Justice in Colombo to enable people who were able to come to Colombo from these districts to set out their complaints of disappeared persons. These persons were summoned at their request and reimbursed for their expenses of travelling and incurred expenses. On more than one occasion scheduled sittings were postponed because of serious security concerns on the advice of the police authorities. But our hearings proved to be very effective from the point of view of public interest, Co-operation and response.

In the Kalmunai- area which included Pandiruppu, Naipattimunai, Karativu, Nintavur, Veeramunai, Sammanthurai and Malwatle several complaints were recorded. The figures are shown in the annexure 'S' - (Vol. II)

It was revealed at the sittings that in Akkaraipattu which included Addalaichenai, Irakkamam, Thandiyadi, Thirukkovil, habiluvil and Ambilanthurai, a large number of disappearances were alleged to have been caused by the Special Task Force stationed at Akkaraipattu.

In Pottuvil, which included Arugam Bay, Panama Lahugala, Komari several persons testified to disappearances in these areas. The details and dates of such occurrences are contained in the Annexure 'T' (Vol. II). The Special Task Force stationed at Arugam Bay and the Pottuvil Police and Home Guards (mainly Muslim) have been alleged to be responsible for the arrests.

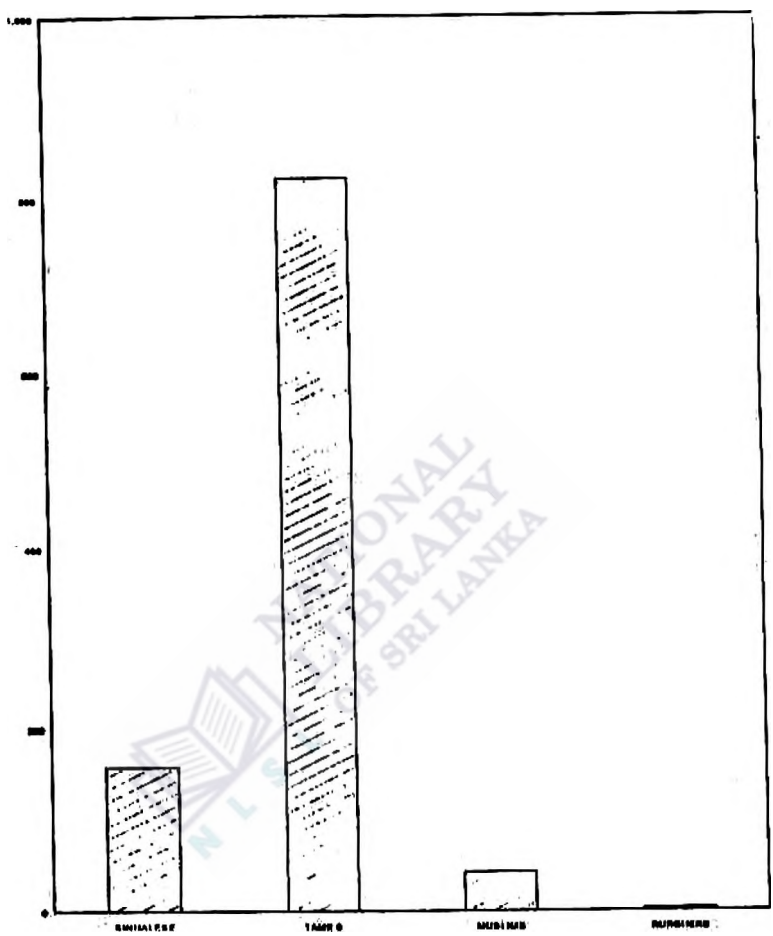
The Amparai complaints reached back to the year 1988 to which our mandate related to as the commencement date. Ampari included Damana, Hingurana, Central Camp Kondawattuwan, Padiyatalawa, Uhana, Inginiyagala, Ambagahawatta, Dehiyattakandiya, Maha Oya and Girandurukotte.

4.1 J. V. P.

It is significant that in the years 1988 and 1989 the Janatha Vimukthi Peramuna insurgency was rampant in this district and a large number of killings and persons round dead have been spoken to by the aggrieved parties. The arrests and disappearances have been attributed to the Police, unknown persons and persons described as Green Tigers. The details are contained in the Annexure "U" - (Vol. II).

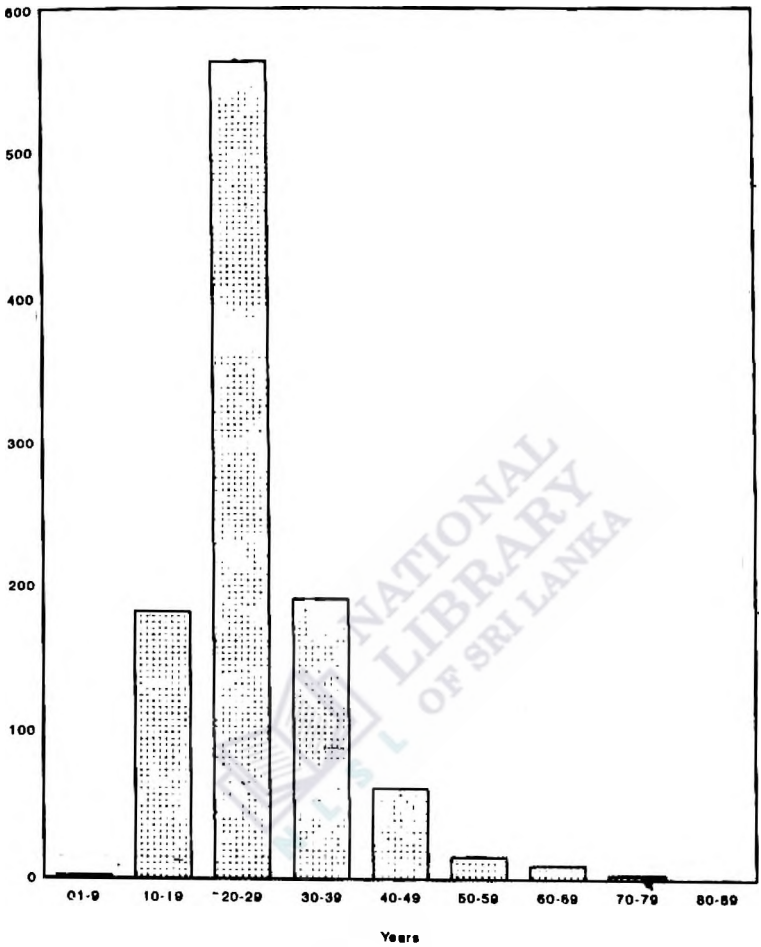
Ethnicity of Disappeared Persons

Ampara District



Age Groups — Disappeared Persons

Ampara District



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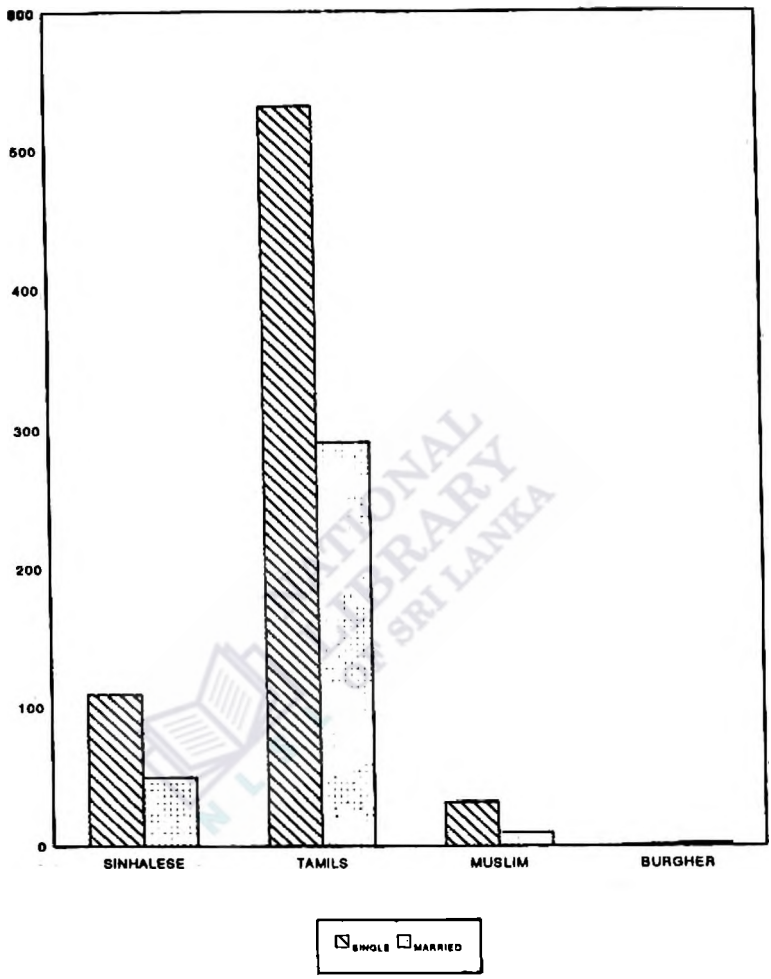
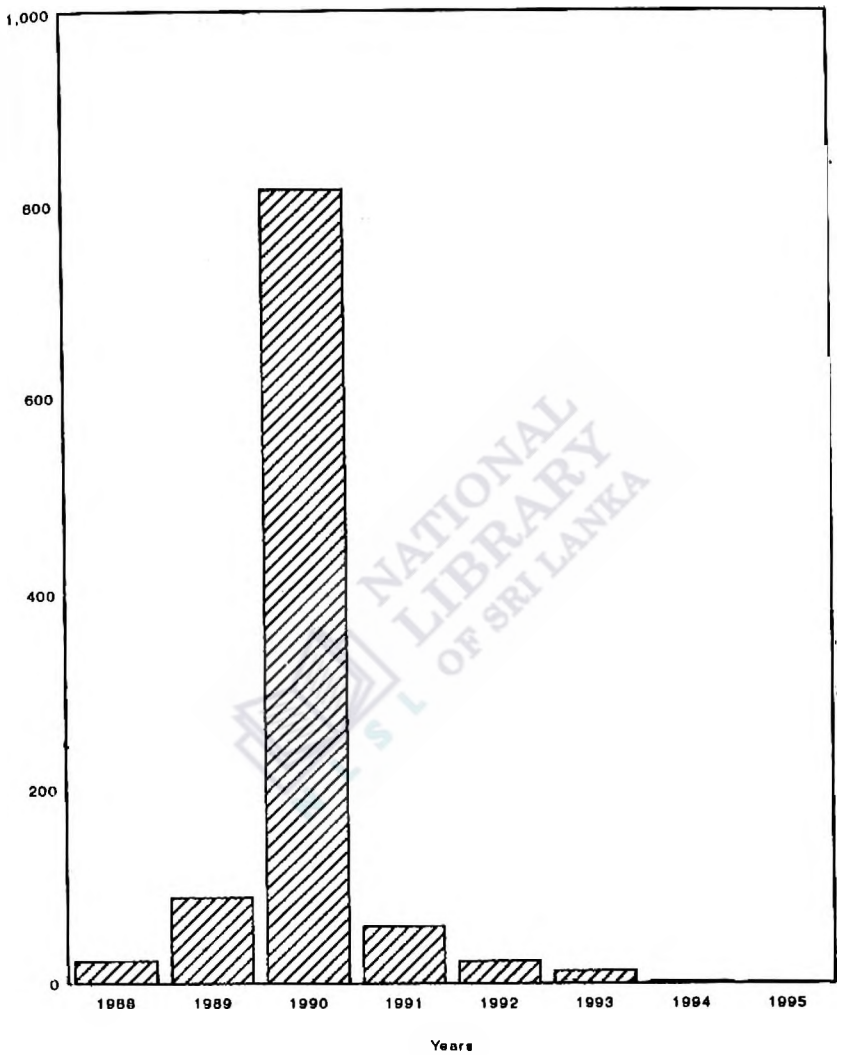
Civil Status — Disappeared Persons

Ampara District



Frequency of Arrests and Disappearances

Ampara District



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4.2 **L.T.T.E.**

A large number of disappearances are attributed to the Liberation Tigers of Tamil Eelam. The complaints have been made mainly by aggrieved persons from the Muslim Community. The major incident is spoken to by the persons as having taken place in Kurukkalmadam, a village midway between Kalmunai and Batticaloa where on the fateful day in May, 1992 a large number of Muslim businessmen returning from Kalmunai to Batticaloa were waylaid, robbed and abducted. It is observed that none of these persons have returned to their homes although the International Red Cross Organisation too had intervened to secure their release or locate their whereabouts.

The L.T.T.E. has been responsible for the disappearance of many Police personnel from Akkaraipattu and Pottuvil Police Stations. The police officers on duty have been subject to surprise attacks in both Akkaraipattu and Pottuvil. Twentyone cases of missing Police Personnel were reported to us. The International Red (Cross was contacted by us to locate the whereabouts of these persons. But we have not met with any helpful response from this organisation which is normally in communication with the L.T.T.E. The witnesses who gave evidence before us were resigned to the view that they are no more alive. We are compelled to accept that view. It is very consoling to note that in most instances compensation has already been paid at the Police Departmental level and their salaries too are being paid to the legal next of kin. On an overview of the victims it is observed that an equal number of Muslims and Sinhalese persons have disappeared in these attacks. A few Tamil members of The Police force and supporting staff have also disappeared. There has been a marked reluctance on the part of the Police authorities to pay compensation to some of the Tamil persons. This seems to have stemmed from the notion that some of them may have voluntarily disappeared during these attacks. However, we did not find any positive evidence to support that view. We have suggested to the authorities to pay the compensation for all the disappeared persons whose claims are pending and placed before us at the hearings by us.

4.3 **Kalmunai**

In the Kalmunai area during the year 1990 in the months of June and July a very large number of persons have disappeared involuntarily .

Kalmunai is a distlict wherein an equal number of Muslims and Tamils live in areas side by side. Maruthamunaimb, Ninthavur and Sainthamaruthu are villages which are predominantly occupied by Muslims. In the Kalmunai town itself Muslims and Tamils live in divisions where there is a distinct predominance of one community or other.

In Pandiruppu, Natpattimunai and Karativu there is a Majority of Tamil persons living in those areas. A sizable number of Sinhalese too live in the town area. Mandur which is closer to Samanthurai on the Amparai road is entirely populated by Tamil people. The involuntary removals in Kalmunai area were spoken to by aggrieved parents, wives and not often children of the vicitims. It is clear that Special Task Force men of the Police force, Security personnel from the Army, regular Police Officers and Home Guards have conducted cordon and arrest operations described as round ups of areas and removed persons from their homes at all hours of the day and night. Persons

going on the roads to places of work and to purchase provisions and foodstuffs have been arrested within public view never to be seen again. Persons who were then taken into custody were followed by hopeful parents, wives and children to the very camp where they were taken to. Their sorrowful and anguished pleas for release were met with assaults, threats and even shots fired above their heads to drive- them away. The more persistent of these kinsfolk-mothers in particular-have waited for days keeping vigil in the fervent hope that the detainees would be released. Some were told by the security men that they would be released after inquiry, but such releases were not effected. The persons who were taken into custody were seen at the camp of detention by wailing relatives outside. They were seen doing manual work or in state of distress and dismay at their enforced detention. In several instances they ceased to appear in their places of detention. Anxious inquiries would elicit cursory answers that they were removed to different locations where their captors themselves had moved. But the stark reality of the disappearance without trace was told to the distraught mothers, wives and brothers and sisters that they were not in the land of the living any more.

It was seen by the views expressed by the complainants before us that they were living with •unshakeable faith that their loved persons in detention were still living somewhere and would someday return. A vast majority of them expressed the hope that they had pinned their faith on our commission that we would secure their release. At this stage it would be appropriate to mention that the responses of the Security Authorities have been most unhelpful. A total denial of any arrest has been the rule, no record of any arrest has been the frustrating- refrain.

4.4 **Pandiruppu**

Pandiruppu is a village to the north of the Kalmunai town. It is a predominantly Tamil Hindu Village. The sacred Thraupadi, Amman Temple famed for its fire-walking ritual at the annual high festival is surrounded by the houses of its devoted worshippers. The months of June and July 1990 have been turbulent periods for the inhabitants of this village. Its ethnic homogeneity seems to have attracted the Security Forces and the Police in their search for insurgent elements harbouring in that area. This has resulted in a large number- of arrests and disappearances from this locality.

It is a redeeming feature that persons of public spirited concern had initiated and moved to obtain relief by way of compensation to the persons who have lost their bread-winners in the main and close members of the family in general in this area. It is strongly recommended that relief in this manner should be given to all afflicted persons to relieve them of their suffering and abject poverty,

The pattern of removal of the suspects seems to be a very abrupt entry into the house of the suspect and physical removal of the person or persons in front and full view of all the other members of the household. The time the hour of the day seems to be of no concern. Young students hard at work with their books have been forced away by the security personnel. Persons from sick beds have been marched away. The helpless occupants could only look on barely being able to identify the captors. All they could say was that it was the Army-Very often they said that it was persons dressed in army

uniform. The chief unit identified by consensus perhaps was the Special Task Force. They could not identify any individual as these security personel keep moving from camp to camp. However, some persons who seem to have gained some notoriety have been named in specific cases. We shall advert to them later in this report. A detailed list of persons arrested and the date of arrest is shown in the Annexure "V" in Vol. II of this report.

4.5 **Chavalakadai**

Chavalakadai area encompasses a lagoon that is a part of the Batticaloa lagoon. In this area the main occupation of the community living there is fishing and prawn fishing. Between August and December 1990, persons variously described as Army and S. T. F. have conducted several arrests of persons who were fishing in the lagoon. The victims were not only fishermen, but cattle grazers and firewood gatherers who were summarily marched away or taken away in trucks.

4.6 **Natpattimunai**

A village in close proximity to Chavalakadai and Kalmunai town is also a place whose inhabitants engage in paddy cultivation, lagoon fishing and cattle grazing. Persons in this area have also been arrested by security personnel from the Special Task Force and the Police.

The practice of entering refugee camps by security personnel and the removal of persons who have sought refuge with the families have been fairly rampant. In disturbed circumstances, to avoid violence and further escape from cross fire, it was usual for whole inhabitants of villages to go to places of worship like Temples and Churches for refuge in the hope that they would be save from death and injury.

4.7 **Veeramunai Pillaiyar temple**

One such place was the weeramunai Pillaiyar Temple - a place dedicated to the worship of Lord Ganesha by the Hindus. It is to be noted that the worship of Lord Ganesha is commonse to both Tamils and Sinhalese who profess the Hindu and Buddhist religion respectively. 29th of June, 1990 seems to have been a fateful day at the Pillaiyar Temple.

Persons described as armed groups and the Special Task Force have been cited by the complainants as persons who arrested the people who had taken refugee in the Temple Camp. On the 4th July, 1990, and 8th August, 1990 further arrests have been made. They all lament in anguish that the protection they would have expected in the refugee camp was denied and the persons arrested have still not returned to their houses. The names and dates of arrest are set out in the Annexures "W" (Vol. II) of this report.

4.8 **Pottuvil**

In the Pottuvil area which includes Lahugalla, Komari and extends south to Panama which is the furtherers habitation adjoining the Yala reserve on the South Eastern coast,

in the month of July, 1990, a large number of arrests have been made by the Special Task Force stationed in Pottuvil, Arugam Bay and Komali. One sees in these widespread arrests of persons, a vengefulness and vindictiveness consequent to the Police Station attack in June, 1990. The arrests have been made in paddy fields and places where cattle grazed. The people in this area are mainly agricultural labourers. The vast majority of them are bread-winners and young men on whom aged parents have been dependent.

A place called Inspector Hill seems been the location where many arrests have taken place. The apparent reason seems to be the proximal- location of the Komari and Arugam Bay S.T.F. camps. In the Pottuvil town itself the Police and the Home Guards composed of Muslim volunteers have arrested many persons who have come to the town in the normal course of business activity.

The details and dates of the arrests have been shown in the Annexure "X" in Vol. II of this report.

4.9 **Akkaraipattu**

Akkaraipattu is a town which lies between Kalmunai and Pottuvil. It includes Thirukkovil to the South and Thambuluvil which is also a village adjoining Akkaraipattu. The people here are mainly agriculturists doing paddy cultivation around tanks and channels fed by the Gal Oya Scheme. In the latter part of June and the months of July and August 1990 a large number of arrests were made by the S.T.F. This is relatable to the Tiger attack on the Police Station in early June 1990. In August and September 1990 several Tamil persons have been arrested from their houses, paddy fields and grazing grounds in the area. Here too arrests have been made in refugee camps at Kolavil, Akkaraipattu and the Methodist Church refugee Camp. In troubled times the tendency of persons to draw strength from grouping together in schools, temples and other refugee centres is very great. They seek thereby to get protection from the security forces and pool the relief resources for survival. If into this group the security forces see a happy hunting ground to arrest persons gathered there, there is very little left to the public by way of hope for greater protection or security from the Sale.

4.10 **Amparai Town**

In the year 1988 there has been a fall out of the insurgency in the south of Sri Lanka. Very many persons were arrested and their bodies found murdered. Several cases of that nature were reported to us by complainants who said that armed groups which could not be identified by them had arrested the victims from their homes and from public places. The Amparai bus stand has been a noted place where travellers passing through the town to distant destinations were removed by the Police or Army.

Near Amparai on the Colombo road lies the sprawling Kondaiwattuwan Army Camp. According to the evidence given by several witnesses the Kondaiwattuwan Army Camp has been the ultimate destination of the victims of arrest in Amparai, Kalmunai, Veeramunai and Inginiyagala. Relatives had followed the victims right up to the camp only to be chased away by the sentries. The camp in effect has been a one

way route. A point of no return for many. The long absence after the arrest over a period of nearly six to seven years makes the despondent relatives lose all hope of their survival or return. Apart from the fact that no records of arrest were made, there has been no communication with the relatives after their arrests. Communication by letters while in custody would have gone a long way to reassure the relatives of their being alive and strengthened the hope of their return someday. We have not been able to record a single instance where any letters were received by the relatives from the victims after their arrest. This serious lapse undermined all hopes in the minds of relatives and dependants in the survival of persons arrested. A list of the persons arrested is shown in annexure "Y" in Vol. II of this report.

4.11 **Check Points**

Check points were set up by the Army at strategic places on the highways to have a greater supervision of the ingress and egress of travellers to and from the areas under security survey.

At these points travellers along will their baggage are subject to careful scrutiny to detect any subversive material including explosives and arms. Although it is highly unlikely that a seasoned subversive would hazard himself to be checked at these places it may be possible that a die-hard may slip through ingeniously under the cloak of innocence.

These security checks have had unfortunate consequences as well. The Malwatte Check Point on the Amparai Kalmunai road has been the venue of many a disappearance. Travellers to distant places like Colombo have been stopped and arrested never to be seen again. Whole families travelling together for social gatherings like weddings will children and young girls have totally disappeared after being stopped at these check points. These horrendous accounts have been very revolting to the mind. These cases have been highlighted in the Annexure "Z" in Vol. II of this Report.

CHAPTER 5

KILINOCHCHI DISTRICT

At the Sittings held in Vavuniya, complaints were recorded from aggrieved persons in the Vanni districts. A large number of persons trying to use the Kilali Lagoon to either go towards the Jaffna Peninsula or return to Vanni have been targeted by the Navy patrolling in that area. They have either been drowned after shooting or taken into custody. There has been movement between Jaffna and Vanni of Tiger groups. The Navy in its endeavour to prevent the free movement of the Tigers through the lagoon has conducted forays and arrested or shot and killed civilians who used that route by travelling in boats.

A few cases of arrests by the Indian Peace Keeping Force in 1988 have been brought to our notice. We do not see how we could proceed to locate such persons.

The inquiries lodged with the Navy have met with negative responses and total denial of arrests.

On 10.07.90, there was an attack on Kokavil Radio Transmitting station by the Tigers- a case of Disappearance from that attack was reported. A number of disappearances caused by unknown groups in this area was reported. It is likely that these abductions of persons were made by the Tamil groups which are stated to have forcibly conscripted persons to join their movements. Even voluntary disappearances cannot be ruled out.

A police officer disappearing on 11.11.93 during the Tiger attack at Pooneryn was brought to our notice. The E. P. R. L. F., E. N. D. L. F., are two other groups which have been mentioned as having caused abductions of persons in the Killinochchi, Kandavalai and Chundikulam areas.

CHAPTER 6

MANNAR DISTRICT

This region has been a very sensitive area in years following 1988. There has been heightened terrorist activity by the L. T. T. E., E. P. R. L. F., P. L. O. T., Groups during this period. The existence of the North Western sea coast and the operations between the Indian Coast near Rameshwaram and the Mannar Coast by boats carrying arms, fuel and ferrying injured persons had heightened increased patrolling by the Navy. The Navy had taken into custody a large number of boatmen who had indulged in the lucrative business of transporting human cargo from the troubled areas to the Indian coast. The main complaint was that the boat men were not released though the refugees were released. Our inquiries from the Naval authorities have drawn negative responses.

The disappearances caused by the terrorist groups have accounted for a large number of civilians gone missing. A few Police and Service personnel have also been reported as killed subsequent to attacks on Police stations. It is to be noted that a significant number of persons among the Muslim community have been the Victims of Terrorist abductions.

The pattern of abductions of the Muslims in particular seems to be a visit to the home by unknown group of persons and removal of the victims. Anxious relatives have been told by the persons abducting that they will be released after inquiry. Young persons below the age of twenty, very often in their late teens have been abducted or disappeared often on the way to school. This feature seems to give credence to some form of conscription of cadres by the Terrorist Groups.

CHAPTER 7

VAVUNIYA DISTRICT

The town of Vavuniya is a bustling centre of business activity. Products from the farms and fields in the hinterland are brought to the market town. Agricultural fertiliser, fuel for farm tractors and vehicles are purchased here. Persons so engaged bring sizeable amount of money with them. Their disappearances take on the character of robbery of money as well. Many instances have been reported of the disappearances of persons and their money.

In the Vavuniya District it is to be noted that the Security Forces and the terrorists forces vied for control. The jungle cover provided enough haven for the terrorists to base their camps and indulge in sporadic forays on the Army Camp and the civilian town ships. Towards Army Camps they adopted the twin strategies of surprise attacks and out numbering the personnel in the camps. This has resulted in quite a few personnel losing their lives or missing in action as in Kokavil, Kilinochchi and latterly on a big scale at Pooneryn.

As a result of these disturbed conditions large number of people moved out of the country through points in the Mannar coast towards South India. The owners of the boat saw in this situation, a lucrative means of earning money. Individuals and families started leaving in large groups. Some of them did not succeed in their endeavour to reach a safe haven. They were stopped by the Sri Lanka Navy in mid sea and brought back to the country. The Naval authorities did not take kindly to the boat crews who operated this human traffic. A large number of them were detained on their return and were not heard of thereafter.

In the Vanni region itself which comprised of Madhu, Pavatkulam, Nanattan, Puliyankulam, Omantai & Viswamadu there has been a proliferation of refugee camps and check points. The Security Forces have made arrests among the persons who sought refuge in these camps. At check points, persons have been detained and lost without trace. People who have disappeared in this manner have been listed in the annexure 'AA' (Vol. II) The Thandikulam check point which was the Northern most security point has been the venue of several arrests of persons trying to go North or returning from the North. The persons so arrested and disappeared have been listed in annexure 'BB' (Vol. II)

The close movements of terrorist groups and security forces have very often erupted into exchange of shooting between the fighting parties. This had the unfortunate result of many deaths in the crossfire of civilians present at these places. More often than not these people have been killed and their bodies found and disposed of.

CHAPTER 8

MULLATHIVU DISTRICT

The Commission, inquired into complaints relating to the disappearances and involuntary removals of 23 people. Of this 23, one is a Muslim, Abdul Cader Abdul Munaf, a 28 year old fishmonger by trade. The L.T.T.E. is alleged to have arrested him on 20.06.90. The L.T.T.E. cadres who arrested him are well known. They are Prakash, Kailash and Nandan. The reason given for arrest is that the arrested person was selling fish to the Security forces.

There is only one Sinhalese in the lot of 23 persons arrested and he is B. H. Ranjith of B 12, Yaya I I of Padaviya. He was arrested by unknown parties, generally suspected to be L.T.T.E. Of the 23 arrests 9 arrests are alleged to have been the work of the Navy and 5 arrests, by unknown parties another 5 by the Army 1 by the L.T.T.E. and 3 by the I.P.K.F.

The Navy arrests consist of 4 from Kokilai 2 from Mullaithivu 2 from Mulliwaikkal and 1 from Kilali. The Army arrests consist of 2 arrests of father and son who were found fishing at Mullathivu and Tharmalingam Paneerchelvam from Pesalai and one each from Mullathivu and Mulliyavalai.

The unknown parties arrested 5 persons which include Ranjith the only Sinhalese and Mrs. Kandasamy Sarosaladevy Clerk in the Trincomalee Provincial Council Office, who went to Mulliyawalai on hearing of the arrest of her husband only to be arrested herself; while the husband was released nothing was heard of her.

CHAPTER 9

JAFFNA DISTRICT

The Commission received 537 written complaints from this District. We could not visit Jaffna as a good portion of Jaffna was under L.T.T.E. control and the ground situation was not conducive for a visit. Even after the completion of the Riviresa operation the Presidential Secretariat by its letter of 10.12.96 advised us not to visit Jaffna.

Hence the Commission invited those complainants who were residing outside Jaffna to appear before the Commission at the Ministry of Justice. 104 such complainants were heard. The balance complainants are residents of Jaffna and the Commission faced difficulties in summoning them in view of the postal and transport delays and the security problems faced by them in coming down to Colombo. So their inquiries had to be put off, for a further date.

Almost 50% of the cases inquired by the Commission relate to the disappearances of soldiers and this number amounted to 51. Thirty seven (37) soldiers were from Pooneryn Camp and the balance from the other Camps.

The Security services have a well worked out scheme to support the families of the armed personnel who die or disappear while on duty . It was revealed in evidence that they have already been paid compensation, obtained posthumous promotions and their monthly salary is being paid to the dependants.

The other group of people who appeared before this Commission were the Muslims.

Muslims are an industrious and sell reliant community and they have enriched Jaffna life for centuries. On 30th November 1990, the L.T.T.E. took a decision to evict the Jaffna Muslims with 2 days notice. The disruption of the social, economic and emotional life of the Muslims was enormous. All their possessions were plundered and they were not allowed to take even a change of clothing, leave alone jewellery and cash. Evidence given by Mrs. M.P. Pathurasman of No.10/90 Anuradhapura Road Puttalam regarding the disappearance of her son and her husband is given below. This shows the traumatic effect this eviction had on the Muslims.

"My complaint is about my son's Disappearance. Ramzeen age 18 years old, he was a student Osmania College Jaffna. When my son was at his aunt's place at Mullativu on 11th April, 1990. some Tigers came on push bicycle took him into custody and took him away. My sister Samoon Jerina *alias* - Jaseeda saw the incident. She will come as a witness to testify.

This information was passed on to me by my sister whose address is Mrs. Jerina Samoon No. 74, P.W.D Road, Mullaitivu. I inquired for him at the Tiger Camp in Jaffna and various other Tiger Camps and contacted one Saleem of L.T.T.E. Who was

in the Thirunelvely Camp who informed me the son is in their custody and they would release him after inquiry. Subsequently I heard that my son was in the Tiger Camp of Neervely and inquired for him and got the same reply.

Subsequently my husband was also taken by Tigers and kept at their Camp and they promised to release him after inquiry. My husband who was 50 years old was taken into custody in October, 1992 and the L.T.T.E demanded a sum of Rs.1 Million for release. He was released after 15 days without any payment. I have 4 children, out of whom my son is the eldest. The person who told me said that he contacted my son at the shop and my son was scared to give any letters for fear of reprisal. I do not have anybody to go and speak to him and get final reply . I have given this information to ICRC as well. I did not get any information from them. I request the Commission to trace him and hand over to me. My husband is working in a shop at Puttalam. We depend on the state assistance of Rs. 1,250/= per month for our living. All my children are school going. My arrested son is a O/L student. My son's name appears in the list of 32 names held in captivity by the Tigers, given to the ICRC. I like to see my son. I request the Commission to make arrangements to see my son through the good office of the ICRC"

The affidavit of another witness, Mrs. Umma Salma of No. 41 Navalar Road, Jaffna is also reproduced below to show the travails Jaffna Muslims underwent during these troubled times.

My husband Mohamed Kiluru Sultan Abdul Cader aged 68 years father of six children (Three males and three females) and a businessman dealing in Gold jewellery and gold, residing at 41, Navalar Road, Muslim Ward, Jaffna was taken into captivity by the L.T.T.E. terrorists on the night of 30th September, 1990 at about 11.00 p.m. when he was sleeping.

When the group of terrorists came to my house, they asked for the keys of the jewellery shop purported to be owned by my husband, when in fact my husband had no shop as such, he replied that he had no shops at all. Thereafter he was blind folded and forcibly loaded into a vehicle driven by them and was taken away from home immediately.

On the 4th October, 1990 the, group of LTTE Terrorists came again to my house and loaded all the household effects, furniture, movable property electronic and electric appliances and other household effects into their vehicles and took away the vehicles which were parked in the house and premises. From the day my husband was taken into captivity by the said terrorists he was kept at various places from time to time but no members of the household were allowed to see him. Nor was he shown to them.

On 14th October, the group of terrorists again came to my house with my husband who was chained in his hands and legs and appeared to have been tortured in captivity and forcibly took away all the jewellery kept in safe places in the house and took away the same along with my husband. Thereafter though valiant efforts were taken to see my husband, no one was allowed to see him nor was he allowed from captivity.

During the same period of time several other wealthy Muslims were also taken into custody by the same group of terrorists and were detained under trying circumstances.

I was reliably informed and verily believed that my husband was beaten up, incarcerated and tortured in captivity by the terrorists who took him into captivity from the day he was taken as such.

The last day I saw my husband alive was on the 14th day of October, 1990 when he was brought home in manner set out above and thereafter I have had no occasion to see him.

On or about 27th October, 1990 there was a talk to the effect that my husband had succumbed to his injuries sustained in the course of torture in captivity on or about the 16th of October, 1990.

But upto the time I was in Jaffna which may be reckoned as the 17th day of December, 1990, I had not seen or viewed my husband dead or alive. Even after the information which spread all over the city and residential areas in Jaffna that my husband was dead due to being tortured, his remains were not handed over to me or any other person to be disposed of according to religious Custom prevailing among Muslims.

Since I have not seen my husband dead or alive after 14th October, 1990 and since the remains of my husband if he was dead then had not been handed over to me or any other person for religious burial and since no person in authority in the peninsula or elsewhere in the Island was informed of his captivity or his death upto date, it cannot be presumed that my husband is dead unless or until the Commissioner is satisfied by averments and evidence adduced to the contrary That is to say only after sufficient evidence is brought up before the Commissioner for him to satisfy fully that my husband died in captivity on the date referred to above, then and in such an event only the fact that my husband died on the 16th day of October, 1990 in captivity of the LTTE terrorists at Nallur in Jaffna.

It has therefore become necessary for me as the lawful widow of the said missing person, to make application to the Commissioner for the relief set out below.

(*a*) to trace my husband if he is still alive ;

(*b*) to ask for sufficient oral and documentary evidence relating to the taking into captivity of my husband circumstances relating to his captivity and torture and medical treatment extended to him in captivity ;

(*c*) If such evidence point out to one answer that is my husband is not alive, then in such an event to direct the authorities concerned to issue appropriate documents to that effect.

The following persons may provide sufficient evidence in relation to the averment contained herein.

(1) M.U. Thahir, Plaza Complex, Wellawatta, Colombo 6.
(2) M. Rahumathullah, Albert place, Dehiwela.
(3) M. Burhanuddeen, Wattala.
(4) M.A.C. Ibrahim, St. Lazarus Road, Negombo.
(5) S.A.C. Mubeen, Dam street, Colombo 12.

The Army in its operations arrested 14 people mainly from the Islands and Karainagar and they are still missing. The Navy was responsible for the disappearance of 8 people, mostly fishermen and those crossing the Jaffna Lagoon at kilali point. The LTTE arrested 9 people – 6 Sinhalese fishermen and 3 Tamil civilians.

8 arrests were made by unknown groups. The E.P.R.L.F. has arrested 22 year old, M. Constantine and trained him as one of their fighters and allowed him to correspond with his father. The father had lost contact with him for 7 years. His subsequent fate is not known.

There have been reports of large scale arrest of youth by the Sri Lankan armed forces, during the operations in Jaffna Fort, which commenced on 22nd August, 1990. The troops from Kayts had moved towards the Jaffna Fort, through the Islands after advising the population of the Islands to move into temples and churches at Allaipiddy. On 25th August 1990, the Army had gone to St. Philip Neri Church and arrested about 600 young persons of the age group from 15 to 30, and later released them except for 49 persons.

On the 23rd September, the Army arrested another 27 youths and none of these 76 persons taken into custody on these two dates ever returned home.

On the 26th September, 1990 after the forces withdrew, the local dailies in Jaffna, reported finding 34 skeletons in some wells in the Mandathivu area. The Commission could not investigate into this matter, due to the fact that the area was inaccessible to the Commission.

CHAPTER 10

RECOMMENDATIONS

The Commission has been mandated by Your Excellency to investigate into the following:

(*a*) Whether any persons have been involuntarily removed or have disappeared from their places of residence in the Northern Province and Eastern Province at any time after January I, 1988;

(*b*) The evidence available to establish such alleged removals or disappearances;

(*c*) The present whereabouts of the persons alleged to have been so removed or to have so disappeared ;

(*d*) whether there is any credible material indicative of the persons responsible for the alleged removals or disappearances;

(*e*) The legal proceedings that can be taken against the persons held to be so responsible;

(*f*) The measures necessary to prevent the occurrence of such alleged activities in the future;

(*g*) The relief, if any, that should be afforded to the parents, spouses and dependants of the persons alleged to have been so removed or to have so disappeared and to make such recommendations with reference to any of the matters that have been inquired into under the terms of the warrant.

As regards section (*a*) of the Mandate :

Whether any persons have been involuntarily removed or have disappeared from their places of residence. The obvious response is a re-sounding "Yes"

People from all stations of life from wives of Labourers, to wives of Principals of schools and parents all came with their tearful stories of their family members taken into custody by security service personnel or by militant groups. There is no doubt that there had been a large scale involuntary removal of people from their places of residence.

Regarding Mandate (*b*) i.e. The evidence available to establish such alleged removals or disappearances, - there have been large scale corroborative evidence by relatives, neighbours and fellow human beings, as most of these arrests were done in full public view, often from Refugee Camps and during cordon and search operations where large number of people witnessed the incidents.

Regarding Mandate (*c*), i.e. The present whereabouts of the persons alleged to have been so removed or to have so disappeared. The Commission faced a blank wall in this

investigation. On the one hand the security service personnel denied any involvement in arrests in spite of large scale corroborative evidence of this culpability. They also denied the existence of any undisclosed detention camps where the arrested could have been kept pending the emergence of Civil Peace. In this situation the Commission feels that a separate investigation and much more time are necessary for the determination of this Issue.

The fact is that Army arrested people in large numbers. The Army only can answer what happened to the corpus of those arrested. It was no use denying that they have nothing to do with these arrests.

Regarding mandate (D) - i.e. whether there is any credible material indicative of the person or persons responsible for the alleged removals or disappearances.

According to the evidence recorded, ninety percent of the removal was ascribed to the security forces - Army, Navy, Airforce and the Police. L.T.T.E. also was responsible for its own share of removals. Other militant groups also are in the picture. The name of some officers come up often in the course of inquiries. Captain Suresh Cassim, Major Suraweera, Dean of Dyke Road, Trincomalee, Richard Peiris of Trincomalee Police, Captain Munaz, Captain Palitha, Capt. Guneratne, Major Majeed and Major Mohan of Kommathurai army camp in 1990. Captain G.L.Perera and Inspector Soyza of Ampara Police area are some of the Army and Police Officers against whom there is enough evidence in our files for initiating prosecution.

Your Excellency's next poser was Mandate (*e*), the legal proceedings that can be taken against the person held to be so responsible.

The Commission feels that on ex-parte evidence alone, it cannot decide on the guilt of these people. Hence, proper inquiries have to be undertaken and evidence given by the complainants should stand the scrutiny of cross-examination. This is a task we leave for the next Commission.

Regarding the Mandate (*f*) the measures necessary to prevent the occurrence of such alleged activities in the future.

Sri Lanka has already take ancilliary measures to prevent the excesses happening again. The directions issued by His Excellency the President and the Regulation 08 of the Emergency (Establishment of Human Rights Task Force) Regulation No.01 of 1985.

These require the Army and the arresting parties to ensure the fundamental rights of persons arrested or detained and such persons to be treated humanely. These seek to ensure that the officer making arrests or detentions shall identify himself to the person arrested or any relative or friend of such person by name and rank. Every person arrested shall be informed the reason for the arrest. A document containing the name and rank of the arresting officer, the time and date of arrest and the place of detention shall be specified in such document. This is to be given to the spouse, father or mother or close relative of the person arrested. If he is unable to issue a document he shall make

an entry in the nearest Police Station or if he belongs to the armed services to report to the O.I.C. of the Police station why he is unable to issue a document.

The members of the Human Rights Task force should be permitted access to the arrested person. These and other regulations are already in the Statute Book but this will not be of much help unless they are properly enforced. In this connection the Commission wishes to endorse an observation made by "Asia Watch" report or 31st May, 1992, which reads as follows:

"It was not enough to point to an impressive array of laws and institutional mechanisms adopted to protect and promote human rights. Unless these laws and mechanisms are utilised to secure the effective enforcement of rights, and unless that enforcement is strictly monitored, the introduction of such measures will serve only a cosmetic purpose. Such measures may enable a Government to deflect, for a limited time, criticism that it is failing to fulfil its international human rights obligations. They will do little to improve the human rights situation in the long term unless individual members of the security forces are held accountable - and are seen to be held accountable for human rights violations they commit"

In any case these regulations will not touch on the basic problem which creates deep fissures in society. Two problems are facing this country. One is the problem of the youth which took militant form under the J.V.P. The other is ethnic problem which takes militant form under the L.T.T.E. These two problems unless handled with vision and statesmanship will distort all organs of Society and make the Army arbiter in national Issues.

Your Excellency has taken the correct decision and especially in the ethnic sphere, Your Excellency's proposals should be adopted as a basic policy of the land.

The next question Your Excellency posed was a relief that should be afforded to the parents, spouses or dependants of the persons alleged to have been removed.

The Commission has worked out a Compensation Scheme in accordance with the circular issued by the Ministry of Public Administration No.21/88 of 13th July, 1988 and this is only a token of the concern of the Government for deprivation suffered by the affected families. Money in any quantity will not compensate the absence of the bread-winner, the love of the father, the duty of the son for the family. But money helps in some way to cushion the blow.

As far as the compensation is concerned we have to issue a note of caution. Some of these complainants have already obtained compensation through the Ministry of Rehabilitation. Steps have to be taken to ensure that there is no double payment.

In addition to compensation certain other measures have to be taken to help these families whose bread-winners are removed from them.

We recommend at least one person in such families who has the minimum qualifications be given employment either in the State Sector or in the Private Sector. Where people do not possess minimum qualifications they should be given vocational training at State expense to ensure that one person in the family is employable.

We suggest that;

(1) Dependants of all public servants, employees of semi Government bodies, Statutory Corporations, who have disappeared must be paid the salaries of the disappeared till they reach the age of retirement and thereafter they must be entitled for pension. No distinction must be drawn among permanent, pensionable, casual, temporary employees etc.

(2) Dependent family members who are not caught up in the above category must be brought under an effective and meaningful social security system.

(3) The Commission was able to identify malnutrition among the children of the disappeared. The existing programme of fight against malnutrition should be extended to them as well.

(4) A portion of Scholarships for higher education should be reserved for the children of the disappeared.

The Commission has already found that the immediate family members of the victims are facing legal and administrative problems, some of which needs special attention. We refer to the problems arising out of the state of legal uncertainty of those who have disappeared due to lack of proof. Family members face problems connected with their civil status, inheritance, Widows and Orphans pensions. Even though Government had made it possible for them to have a person registered as dead if he had not been seen for over an year, this had not been brought to the notice of the family members of the disappeared. It is recommended that action should be taken at the level of the Divisional Administration, to make this development, well known.

FINAL REPORT — COMMISSION OF INQUIRY INTO INVOLUNTARY REMOVAL OR DISAPPEARANCE OF PERSONS IN THE NORTHERN & EASTERN PROVINCES

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VOLUME II

ANNEXURES

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N L S L

Annexure 'A'

PCZ/NE/20

PRESIDENTIAL COMMISSION OF INQUIRY INTO INVOLUNTARY REMOVAL OR DISAPPEARANCES OF PERSONS IN NORTHERN AND EASTERN PROVINCES

REPORT ON THE ENFORCED OR INVOLUNTARY DISAPPEARANCE OF A PERSON

FOR OFFICE OF USE ONLY

Identity of the persons subjected to enforced or involuntary disappearance

01. (*a*) Full Name (underline the surname):
(*b*) Other names, if any:

02. Sex: Male: Female:

03. Birth date or age at time of disappearance:

04. Civil Status (Single, Married, etc.):

05. National Identity Card No., if known:

06. Photograph if available:

07. Occupation:

Place of work:

Monthly income at time of disappearance:
(indicate source)

08. Address of permanent residence:
District - Divisional Secretariat:
Division:
Grama Sevaka Division :

09. Address at the time of disappearance if different from above :

10. Educational Qualifications:

11. School/University last attended:

12. Activities: (e.g. - trade union, political, religious, social, welfare, press, etc.)

Do you think disappearance was connected in any way with these activities ?

II. Date of disappearance

13. Year, month, day and hour when missing person was arrested or abducted ?

14. Year, month, day and hour when missing person was last seen:

15. Other indications relating to date of disappearance:

III. Place of disappearance

(Please indicate as precisely as possible province, city, location, etc, and if identical with home address).

16. Place where missing person was arrested or abducted:

17. Place where missing person was last seen:

18. Have you received any information of his whereabout after the disappearance ? If so, list the places including period of detention at each place:

19. Who gave you the information ?

20. Has anyone seen them at these places ? If so, please give names & addresses: (Do you wish the source of identity be kept confidential)

21. Any other information concerning the place of disappearance:

IV. Persons believed to be responsible for the disappearance

22. If the person was arrested, or abducted, who carried out the arrest or abduction ?

23. Did they identify themselves, with credentials or orally ?

24. Were they armed ? Describe if possible.

25. Did they create the impression that they were acting legally and without any fear of punishment?

26. Did they use a vehicle? Give description: (e.g. - official, with or without number plate, Registration if any, subsequent information regarding ownership of vehicle, etc.)

27. If the persons who carried out the arrest or abduction cannot be identified, whom do you think were responsible ? Give reasons.

28. If the arrest or abduction took place in the presence of witnesses indicate the names of the witnesses. If the witnesses have not identified themselves or wish to withhold their names indicate if they are relatives, neighbours, passers-by, etc.

29. Have there been any threats or warning received before the disappearance ? If so, who threatened or warned ?

30. Indicate any words used at the time of arrest or abduction, and by whom ?

31. If any written evidence of the arrest exists, please describe them (e.g. - arrest order, official notes, letters, etc.)

32. If a search took place of the missing persons's residence, office or place of work, (or that of any other person connected with him/her), before, during or after the disappearance please discribe the search:

33. Was anybody questioned concerning the disappeared person before or after the arrest or disappearance ? Please provide available information concerning their question:

V. Action (legal or other) taken on behalf of the missing person

A. Habeas Corpus etc.

34. Nature of the action, and number of the case:

35. Date:

36. Tribunal:

37. Result:
(If not concluded please indicate the present stage)

38. If a Judicial decision exists please indicate its contents, if possible:

B. Criminal complaints

39. Nature of the action & number of the case:

40. Date:

41. Tribunal:

42. Result (date & nature):

43. If a judicial decision exists, please indicate its contents if possible:

44. If your experience is that your attempts to make a complaint to the authorities was not recorded please give full particulars:

C. Other measures taken
(Letters, petitions etc. or other steps taken before the civil or military authorities):

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VI. Measures or steps taken at the international level on behalf of the missing persons

45. Organization addressed:

46. Date:

47. Result (date & nature):

VII. Related cases of arrest or disappearance, including relevant missing relatives or children

48. Please give a narrative accounting indicating relavent names, dates and places:

N.B. Also make separate applications in respect or each of the persons whose disappearance you are reporting.

VIII. Information about the dependants of the missing person

49.

Name	*Relationship with missing person*	*Age*	*Education*	*Occupation*	*Monthly Income*

50. Has the disappearance proved an obstacle to the dependants in obtaining reliefs they would have been entitled to, had the persons died ? (e.g. - Insurances, Pensions, Heir's right to succeed as tenant cultivator, etc.):

IX. Any other information/remarks about the disappearance

X. Information concerning the author of the present report

51. Family name:

52. Relationship with the missing person:

53. Present address:
Telephone:

54. National Identity Card No. if available:

XI. Confidentiality

55. Please state whether the author of the present report wishes his/her identity to be kept confidential :

Note.- If any information contained in the present report should be kept confidential please print the work "CONFIDENTIAL" beside the relevant entry.

N.B.- The contents of this report will not be used to take any legal action against the petitioner nor will the answers given expose the petitioner to any legal; criminal charge or any liability whatsoever.

XIII. Date:

.....
Signature of declarant.

OFFICE USE ONLY

File No.:

Date Received:

Date of acknowledgement:

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Annexure 'B'

TRANSLATION

30th April, 1997

My No. යුහ/නීති/700/පොදු/02/97/157
Yr No. PCI/NE/T/II(I)

Sri Lanka Army Headquarters,
P. O. Box 553,
Colombo.

Presidential Commission of Inquiry into
Involuntary Removal and Disappearances
of Persons,
Room No. 4,
Ministry of Justice,
Colombo 12.

Involuntary Removal and Disappearance of Mr. Murugaiah Sarawanabawa and eight members of his family

Reference :

(*a*) Your letter dated 11.04.97.

1. The possibility of existance of several corporals by the name 'Priyamantha' or 'Priyantha' in the Army which consists of a large number of officers, cannot be avoided.

2. Similary, a person in the Army is identified by us, by the Regiment Number and the Regiment to which he belongs.

Accordingly, you are kindly informed that this Headquarters is unable to comply with your request.

Singed : H. I. P. Wijeratna,
Colonel,
For Commander of the Army.

Annexure 'C'

PRESIDENTIAL COMMISSION OF INQUIRY INTO INVOLUNTARY REMOVAL OF PERSONS. NORTH AND EAST PROVINCE HOLDEN IN TRINCOMALEE

Report of the Inquiry held at Social Service Centre Trincomalee

Date: 11th March - 17th March, 1995

Chairman	:	Justice K. Palakidnar.
Member	:	L.W.R.Widyaratne, Retd. High Court Judge.
Member	:	Dr. W. N. Wilson.
Secretary	:	S. C. Manicavasagar.

Attorney-at-Law assisting the Commissions : V. S. Ganeshalingam.

1. 70 complaints of involuntary removals were inquired into. 69 complainants testified each one about their complaints made to the Commission. (I complainant testified about 2 involuntary removals). 8 witnesses cited by the complainants gave evidence. 7 witnesses cited by the Commission also gave evidence. 1 person gave evidence in camera.

2. 70 complaints inquired into could be classified into :

   (i) Group arrest at Machazer Stadium on 11.07.1990.

   (ii) Group arrest at the Trincomalee Base Hospital premises on 15.06.1990.

   (iii) Arrest in the High Seas.

   (iv) Arrest from Villages.

2.1 GROUP ARREST AT MACHAZER STADIUM:

27 complainants testified each one about one removal (see Annexure 01 of the List). These testimony was coraborated by 9 witnesses (see List 1A for the names). There was no contradiction among the 27 complainants and their witnesses as to the place, date and time of removal and to the place as to where the removed persons were taken and detained.

On the 11th of July, 1990 there was an announcement by the Police in the town of Trincomalee by about 6 a.m., calling upon all the residents of the town leaving one for each home to assemble at the Machazer Stadium. This announcement was complied with and well over 5000 had assembled at the Stadium by about 7 a. m. Then the males and the females were ordered by the Security Forces and the Police to form separate queues and pass through a cage where some persons were stationed to identify the wanted.

At the Stadium, the Police, the Army and the Navy were engaged in this ordeal in the presence of the Citizen's Committee Members.

Then 52 persons were detained at the Stadium and were taken to the Plantation Point Camp in buses by the Army, out of whom 15 to 20 were supposed to have been released which could be ascertained only from the Plantain Point Camp. There was no evidence to show as to when and where they were released.

The round up, arrest and the detention by the Army stands coraborated by the evidence of K. Thavarajah of the Citizen's Committee and Col. Asoka Kulatunga, Premala Chandrakumar Inquiry No.1/95) had further testified that one Rangini, the U. N. P.Organiser for Trincomalee had shown a list of persons missing.

Members of the Citizen's Committee including Thavarajah, U. N. P. Organiser Rangini may have to be summoned to obtain further details.

D. I. G. Anandarajah, made the Commission to believe that he was kept completely out of this operation even though the Police assisted in the operations. He further testified that Police assistance was directly under late Richard Wijesekera and A. S. P. Chandra Perera. The persons who took over from Richard Wijesekera and A. S. P. Chandra Perera are material witnesses who have to be summoned to testify.

Almost all who testified were assertive and positive in their testimony that all those who were removed from the Stadium were taken to the Plantation Point Army Camp in buses. This assertion stands coraborated by the evidence of Chelliah Sivalingam, Saleem and Subramaniam Sivakumar, all of whom were also arrested and detained at the Plantation Point Army Camp and released.

A burden is cast on the Plantation Point Army Camp to give an account of what had happened to those taken in there. Only the Officer-in-Charge could testify.

2.2 GROUP ARREST AT BASE HOSPITAL, TRINCOMALEE:

29 complainants testified to 30 involuntary removals from the Base Hospital premises which have resulted in disappearance. Out of whom one complainant testified about the disappearance of 02 (please see Annexure 02 of the List). From the testimony given by the complainants, it was quite clear —

(*a*) that there was a tense situation in the Hospital and its surroundings on the 15th of June, 1990 following military movement and shootings in that area on the days proceeding the 15th of June. Several had come into the hospital premises fearing Army operations.

(*b*) On the 15th of June, 1990, some Army personnel along with the Police arrived at the hospital by about 7,15 a.m., informed the D.M.O., checked the hospital premises including the Nurses Quarters and have taken into custody about 30, out of whom 6 were patients, of the rest some had come to the hospital for O. P. D. treatment. It is obvious that the balance arrested had come to the hospital premises fearing military operations.

(*c*) The D.M.O., M. O. H. and Ariff Samsudeen, the Police Sergeant at the hospital Police Post who were cited by the Commission to give evidence testified that a group of Army men headed by a Captain did a security check and took several including 6 patients into custody and that they were taken away in buses by the Army men.

(*d*) The Sergeant had further said that the Captain had told him that he was from 22 Brigade from the Plantain Point Army Camp and more than 15 were taken away in a C T B bus.

(*e*) The M. O. H. has testified that 30 persons were brought by the Army and were made to sit in front of the wall of the hospital. This figure tallies with the evidence given regarding the disappearance of 30 persons. The M. O. H. further said that he cannot identify any one of the Army men because they were not Trincomalee based and that he had never seen them before or after the incidents. It may be that some Army men were brought from some other area for this operation.

Brigadier Tennakone (presently in Mannar) who was the Staff Officer, Army Headquarters, Trincomalee during the period material to the inquiry said that late Brigadier Wijeratne was in command during this period, that no records whatsoever were available for the whole of 1990 and that he is not in a position to testify as to the two Group Arrests that are being inquired into by the Commission. He also said that late Wijesekera, S. P. was conducting the operations along with late Brigadier Wijeratne and that he is not aware as to who succeeded Brigadier Wijeratne.

2.3 **Arrest in The High Seas :**

2.3.1 4 women testified to the involuntary removal of their respective husbands who went for deep sea fishing on 4th. January, 1994 and never returned thereafter. However through the ICRC they receive letters from them from Point Pedro where they are in the custody of the Tigers.

2.3.2 Lesly Kularatne testified to the disappearance of 4 men who went out to sea for fishing on 18th February, 1995. The boat is also missing.

2.3.3 Manikku Vadura Irin Nona testified that her son Santha De Silva went out to sea for fishing on 29th August, 1994 and his present whereabouts are not known. (please see Annexure 03 of the List).

The 4 women referred to above requested the assistance of the Commission to visit their husbands and the Commission issued them letter addressed to ICRC requesting them to make arrangements for these women to visit their husbands.

2.4 **Arrest from Vairous Village :**

3 testified as to the arrest by the Army from Kantalai, 01 about the arrest at Nilaveli and 02 about the arrest at Alenkerny by the Army, 01 about the arrest in Trincomalee which

she had not seen – all the seven have disappeared after arrest. Some more evidence is necessary to establish arrest and subsequent disappearance. They have to be noticed to inform the names of the witnesses, if any.

3. **Interim Relief :**

Among the arrested, there are few public servants/Local Government/Corporation employees whose dependents are not in receipt of their salary and allowances of the disappeared which they are entitled in terms of Public Administration Circular No. 343 (a copy of which is annexed). The dependents have asked the Commission for this relief which could be complied with by requesting the respective Authorities to comply with the said Circular until such time the Commission comes to a finding as to the fate of the disappeared.

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Public Administration Circular No.

Ministry of Public Administration
Independence Square,
Colombo 7.
25th September 1986.

To: All Secretaries to Ministries, Heads of Departments and Heads of Public Corporations.

Payment of Compensation to defendants of Personnel of the Armed Forces, Police, Public Officers and Public Corporation Employees abducted by terrorists or who have disappeared due to terrorist activity

The spouse/defendants of a person in the Armed Forces, Police, a Public Officer or a Public Corporation Employee abducted by terrorists or who has disappeared due to terrorist activity, should be paid the salary and allowances of the missing person until such time as his whereabouts or fate is established or he would have reached the age of 55 years whichever is earlier.

02. After the officer had reached the age of 55 years, the normal retirement benefits due to him should be given to his spouse/dependants etc.

Sgd: D. B. I. P. S. Siriwardhana,
Secretary,
Ministry of Public Administration.

Annexure-01

Arrested At Machazer Stadium on 11.07.1990

Sl. No.	*Inquiry No.*	*Name of Person Testified*	*Name of the Arrested*
01.	1/95	Premala Chandrakumar	Kugathasan Chandrakumar
02.	2/95	Alagarajah Lily Mary	Arasu Thiraviyam
03.	3/95	Surenthiran mangalam	Nagarajah Surenthiranathan
04.	4/95	Umma Habiba	Mohideen Pichchai Casudeen
05.	5/95	Ranjan Gowri	Arulanthan Ranjan
06.	6/95	Yogamangalam Francis	Antony Francis
07.	8/95	Kanagasingam Selathangam	Kanagasingam Vasanthakumar
08.	9/95	Anne Perverthuwa Joseph	Antony Joseph
09.	10/95	Joseph Pakiyarajah Antony	Pushparajah Antony
10.	11/95	Indradevi Saravanabawan	Nagalingam Saravanabawan
11.	12/95	Mallika Rani Mathanadas	Ratnam Mathanadas
12.	13/95	Lingarajah Jayanthy	Kalirajah Lingarajah (taken from Nilaveli)
13.	14/95	Somahesan Rajeswary	Velappan Somahesan
14.	15/95	Velupillai Sigamani	Veluppillai Saravanabawan
15.	16/95	Nagaratnam Velumurugan	Kalieswaran Janarthanan
16.	17/95	Rani Viyalatha Ratnathas	Ratnam Ratnathas
17.	18/95	Kulanayagam Thilairanee	Muthulingam Kulanayagam
18.	19/95	Senthalingam Gunaratnam	Gunaratnam Santhakumar
19.	20/95	Aloghore Ganeshelingem	Ganeshalingam Rajkumar
20.	21/95	kanidasan Sivaloganayaki	Kanidasan Ravindran
21.	22/95	Rajarajeswary Suntharalingam	Suntharalingam Santhekumar
22.	23/95	Velautham Rani	Velautham Raj Kumar
23.	29/95	Sebamalai Velupillai	Glistos Ravindran (China Bay Church)
24.	30/95	Vasanthamalar Mamangeswaran	Kandiah Mamangeswaran (brought from Chaina Bay Church)
25.	40/95	Kalimuththu Packiyam	Muniyandi Subramaniam (stopped half-way)
26.	47/95	Thurairatnam Vasanthakumary	Gurusamy Thurairatnam (brought from China Bay)
27.	69/95	Paramsothy Rajaledchumy	Paramsothy Sivahanthan

Annexure – 1A

Witnesses who Gave Evidence For the Complainants

Serial No.	*Inquiry No.*	*Name*
01	1/95	S. Sriskandarajah
02	3/95	S. Arumaippillai
03.	4/95	Saffa Umma
04.	5/95	A. Saroja
05.	33/95	M. Selvaranee
06.	49/95	M. Vasantha
07.	01/95	Subramaniam Sivakumar
08.	do	Chelliea Sivalingam
09.	do	Mohamad Saleem

Witnesses cited by the Commission

1. S. Thavarajah
2. Brig. Tennakone
3. Edward Anandarajah
4. Col. S. S. Kulatunga
5. Dr. (Mrs). K. Gnanagunalan
6. Dr. E.G.Gnanagunalan
7. Police Sergeant Samsudeen.

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Annexure – 02

Base Hospital – on 15.06.1990

Sl. No.	*Inquiry No.*	*Name of the Person Testified*	*Name of Person Arrested*
01.	32/95	Raman Pushparanee	Raman Surenethiran
02.	33/95	Sonai Sivajanaki	Sonai Murugesu
03.	34/95	Kali Saraswathi	Kali Wijerajah
04.	35/95	Ariysamy Meenadhhi	Ariyasamy Maheswaran
05.	36/95	AnthonyMuthu Ariyanayaki	Anthony Muthu Gration
06.	37/95	Muniyandi Pakiyam	Muniyandi Sithaavel
07.	38/95	Miniyandi Indra	Miniyandi Rajendran
08.	39/95	Karuppan Vali	KarupanVigneswaran & Karuppan Jegatheeswaran
09.	42/95	Karuppan karuppi	Karupan Pushpanathan – Patient
10.	43/95	Kali Nagamma	Kali Vellaiayan
11.	44/95	Kali Kanthaiee	Kali Surenthiran
12.	45/95	Pichai Paresmary	Pichai Jasselan
13.	48/95	Mahendiran Muniyammah	Poochan Arumugam
14.	49/95	Vali Kaliyammah	Velu Ganeshalingam-Patient
15.	50/95	Muthumani Nesapakiyam	Valu Muthumani
16.	51/95	Selvarajah Varaluxmi	Kali Selvarajah
17.	52/95	Selasamy Nagaratnem	Selasamy Srimurugan
18.	53/95	Allakaiah Jayaluxmi	Kuruppan Allakiah
19.	57/95	Ganesh Muniakka	Vellathamby Ganes
20.	58/95	Kathiravel Chandradevi	Irulan Kathiravelu
21.	59/95	Muniyandi Koneswary	Muniyanddi Pakiyarajah
22.	60/95	Vadugamuthu Valliammah	Vadugamuthu Thangathurai
23.	61/95	Sivakumar Chanrawathi	Logithas Sivakumar
24.	62/95	Kali Muniammah	Kali Sivarajah
25.	63/95	Muthu Sarojah	Thavasi Muthu
26.	64/95	Muthu Kuppamuthu	Muthu Koneswaran
27.	65/95	kathiravelu ledchumi	Kathiravelu Illangovan
28.	66/95	Udayan Ariyan	Udayan Asokan-Patient
29.	68/95	Kumarakulasingham Salanthan	V. Jesitharam-Patient

Annexure – 03

Arrested in the Sea on 04.01.1995

Serial No.	*Inquiry No.*		
	25/95	C. B. Sominona	T. H. Premasiri
	26/95	H. V. Pathmalatha	M. B. M. Jayantha
	27/95	A. L. Hemalatha	P. Gurukulasooriya
	28/95	A. M. J. Pushpalatha	K. V. Ananda

At Sea On 18.02.95

56/95	H. W. Kularatne	T. D. Waniga Badege M. Susantha G. M. V. Vimalasiri L. P. Dayaranjith
67/95	Menike Wadduwa Irin Nona	Shantha de Silva

Annexure – 04

Other Inquiries

Serial No.	*Inquiry No.*		
01	31/95	Sandravathy Manike	arrested 87th Mile Post Kandy Road.
02.	41/95	Nagoor Murumma	arrested by Army at Kantalai
03.	46/95	Samsudeen Sababeebi	arrested by Army at Kantalai
04.	54/95	Arachige Gunawathy parted	
05.	55/95	Puchihewage Malini	arrested at Nilaveli
06.	07/95	Arunadevi	arrested at Alankery
07.	24/05	Vaniyasingham Rajeswary	arrested at Alankerny

Presidential Commission of Inquiry into Involuntary Removals of Persons North and East Province Holden in Trincomalee

Report of the Inquiry held at the High Court Building, Trincomalee.
Date : 20th July, 1995 to 30th July, 1995.

Chairman	:	Justice, K. Palakidnar.
Member	:	Dr. W. N. Wilson.
Secretary	:	S. C. Manicavasagar.
Attorney-at-Law assisting the Commission	:	V. S. Ganeshalingam.

1. 328 complaints of involuntary removals were inquired into.

   3 witnesses cited by the Commission also gave evidence. Out of 328 who have disappeared all were bread winners for the family except for few students.

2. 328 complaints inquired into could be classified into :
   (i) Disappearance after arrest from Thambalagammam Kovilady refugee camp.
   (ii) Disappearance after arrest from St. Joseph' Church refugee camp, Nilaveli.
   (iii) Disappearance after arrest from Gopalapuram school refugee camp.
   (iv) Disappearance after arrest from St. Lourd's Church, refugee camp, Palaiootu.
   (v) Disappearance after arrest from Patchanoor refugee camp.
   (vi) Disappearance after arrest from Imperial Theatre refugee camp.
   (vii) Disappearance after arrest from Eastern University refugee camp.
   (viii) Disappearance after arrest from Alankerny Maha Vidyalaya refugee camp.
   (ix) Disappearance after arrest from Muslim Mahalir Vidyalaya refugee camp, Kinniya.
   (x) Disappearance after arrest from Anpubalipuram school refugee camp.
   (xi) Disappearance after arrest from Paaliootu school refugee camp.
   (xii) Disappearance after arrest from Sampoor Pathirakali Temple refugee camp.
   (xiii) Disappearance after arrest from during round-ups in various villages :
      (*a*) Muthur, Sampur, Thoppur.
      (*b*) Alankerni, Kinniya, Periyakinniya.
      (*c*) Sampalthivu.
      (*d*) Kanthalai.
      (*e*) Eachchilampathai.
      (*f*) Bharathypuram.
      (*g*) Mavadichchenai.
      (*h*) Koonithivu.
      (*i*) Pulmodddai.
      (*j*) Trincomalee Town and Suburbs.
      (*k*) Extra Judicial killing at Nillavelly.

(xiv) Disappearance after arrest during travel.

(xv) Disappearance after arrest in Macheyser Stadium.

(xvi) Disappearance after arrest from Base Hospital Trincomalee.

(xvii) Disappearance after arrest in Colombo.

(xviii) Disappearance after arrest at Sea.

(xix) Disappearance after arrest in other Districts.

2.1 Disappearance after arrest from Thambalagamam Refugee Camp

39 persons testified as to the arrest and subsequent disappearance of their near relatives (*i. e.* Husband or son).

According to the representative of the Divisional Secretary Thambalagamam following the out break of violence out of the 6500 families in the village of Thambalagamam 4650 families got displaced and took refuge at three camps *viz.* Pathinipuram, Thambalagamam kovilady and Mulipottana out of which the 1st one was a transit camp.

According to that representative 110 have disappeared after arrest and he produced a list of disappeared to the Commission.

All the complainants testified that the disappearances followed arrests by an army group referred to as "Buddhadasa" group headed by one Buddathasa on being pointed out by the Muslim Home Guards.

The Refugee camp at Thambalagamam Kovilady was situated just opposite the army camp and the arrests have taken place at various dates at the whim and fancy of the Home Guards who at times called the victims to the army camp or pointed out to the army. Almost all have seen the arrested persons detained at the army camp at Kovilady and subsequently transferred to the army camp at the 13th mile post. In the course of the evidence it transpired that the said army officer was transferred out on 01.09.1990 and a new army group took over and none of those arrested up to that date were found in the camp after that date.

According to evidence given arrests had taken place from the camp on the following dates :

Date	*No. Arrested*
05.01.90	11
11.03.90	64
06.07.90	01
18.08.90	05
do	03
20.08.90	02
25.08.90	01
01.09.90	02
06.09.90	01
05.01.91	10

Even though according to Divisional Secretary 110 had been reported as disappeared only 38 have come forward to give evidence as regard 38 disappearance out of which 17 disappearances are from Thambalagamam Koviladdy refugee camp, 11 from their residence or while working in the paddy field, 7 while on travel from Thambalagamam to different places. Out of the 38 disappeared except for one who is a Muslim all others are of Tamil origin.

2.2 **Disappearance after arrest from St. Joseph's Church Refugee Camp, Nilavelly**

Evidence was given as regard the arrest and subsequent disappearance from the above said refugee camp on three different dates *viz.* :

Date	*No. Disappeared*
07.07.90	08
19.07.90	05
13.08.90	03
	16

The witnesses testified that the arrest was by the army headed by Major Suresh Cassim of the army along with Muslim Home Guards and some masked men. The witnesses were able to identify that the army personnel were from the Nilaveli army camp.

In addition, evidence was also given as regard 4 other arrests from this village by the army camp at Nilaveli.

2.3 **Disappearance after arrest from Gopalapuram School Refugee Camp**

Evidence was given as regard the arrest followed by disappearances of 7 persons from the above said Refugee Camp. 3 of them were arrested on 05.07.90 and the balance 4 were arrested on 15.07.90.

Personnel attached to Nilavelly army camp were identified as the arresting authority by the witnesses.

2.4 **Disappearance after arrest from St. Laurd's Church Refugee Camp, Palaiootu**

Evidence was given as regard the arrest followed by disappearances of 13 persons from the above said Refugee Camp. It also transpired in evidence that 20 males were picked up from this camp on 13.08.90 put into a bus and taken to the Plantain Point Army Camp. Out of whom 15 were released on different dates.

12 arrested on 18.08.90 have disappeared. The witnesses have identified Major Suresh Cassim of the army and one Dean staying at Dyke Road, Trincomalee working with the army and Richard Peiris of the Trincomalee Police are the persons who made these arrests.

Evidence was also given by 4 persons as regard round up of the village of Palaiootu in which 4 people were arrested. The witnesses identified Major Suresh Cassim and som Muslim Home Guards came with him were responsible for the arrest.

2.5 Disappearance after arrest from Patchanoor Refugee Camp

Representative of the Divisional Secretary, Muthur who was cited by the Commission testified that there were about 12,000 families in his Division and almost all of them got displaced in 1990. There were two refugee camp, one at Panchanoor Church and the other at Imperial Theatre. According to his records 60 have disappeared from his Division.

6 persons who were at the Pachanoor Refugee Camp testified. According to them there were 3,000 refugees in this camp who were rounded up by the Army and Home Guards on the following dates :

Date	*Number Arrested*
25.08.90	44 (19 released balance missing)
13.09.90	13
25.04.91	25 (4 released balance missing)

2.6 Disappearance after arrest from Imperial Theatre Refugee Camp

4 persons testified to arrest made from this camp. On 14.09.90, 7 were arrested out of whom 4 had been released. Again on 25.08.90 the camp was rounded up and 15 to 20 men were taken into custody. There was no evidence as to the number released.

In all 2,000 had taken in this Theatre building and witness identified Muthur Police and Army as responsible for the arrest and subsequent disappearance. There was a camp opposite to the Refugee camp that was manned by the Police and the Army.

2.7 Disappearance after arrest from Eastern University Refugee Camp

One person testified as to the arrest of his son from the above camp on 05.09.90. He was among the 158 who have disappeared after arrest.

2.8 Disappearance after arrest from Alankerni Mahavidyalaya Refugee Camp

Two persons testified as to disappearances after arrest from the above said camp. They identified army as responsible for disappearance.

2.9 **Disappearance after arrest from Muslim Mahalir Vidyalaya Refugee Camp**

Four persons testified as to the arrests that were made from this camp on
05.07.90 - 13 were arrested,
on 06.07.90 - 12 were arrested.

Evidence was given as regard the disappearance of 14 persons.

The witnesses identified the Army and the Home Guards as responsible for the arrest. The Army that did the arrest on 05.07.90 was lead by Major Suresh Cassim.

2.10 **Disappearance after arrest from Anpubalipuram School Refugee Camp**

Only one person testified as to the arrest of his son by Army headed by Major Suresh Cassim and Dean on 11.07.90. from this refugee camp. This witness stated that in all nine were taken into custody on that date.

2.11 **Disappearance after arrest from Palaiootu School Refugee Camp**

Three persons testified as to three disappearances after arrest from this camp. They furhter testified that in all 13 were arrested on 06.07.90 by col. Tennakoon of the Plantain Point Camp. A list of those were prepared by G. S. Ranjith Rajaratnam and Ajith Kumar (Alias Ramesh) who was working as a Co-ordinator did the interpretations. One of the persons who testified was one of the 13 arrested and released.

2.12 **Disappearance after arrest from Pathirakali Temple Refugee Camp**

Only one persons testified as to the arrests made from the camp. She testified that her son was among the 500 who were arrested by the Army on 07.07.90 from and among 4,000 to 5,000 refugees who were at the temple. She also testified that subsequently 7 bodies were recovered after arrest and among them was the body of her husband with injuries.

2.13 **Disappearance during Village Cordon and Search Operation**

(*a*) *Muthur, Sampur, Thoppur*

Inquiry No. PC 1/NE/T840. The Complainant gave evidence to state that her son was taken by commando Vijayagoda and his present whereabouts are not known. She had given the address of the Commando.

17 testified as to the disappearances fo 17 persons from the above said villages. All these disappearances were after arrest. 10 disappearances were attributed to Army, 1 to the Police, 1 to the Home Guards and others by unidentified persons.

(*b*) *Trincomalee Town & Sub-urbs*

53 persons testified as to the arrests and disappearances in Trincomalee Town and its sub-urbs. Various authorities *viz.* Army, Police, Home Guars and other Armed Groups were said to have made these arrests. In some cases the witnesses could not identify the authority that arrested.

(*c*) *Extra Judicial Killing*

One person in his evidence stated that 40 persons including her husband was killed in as shell blast at Nilaveli.
Inquiry No. PC1/NE/T.23.

2.13 **Disappearance after arrest During Travel**

18 testified as to he disappearances of 18 persons during travel from Trincomalee to various other places.

2.14 **Disappearance after arrest at Mackeyser Stadium - Trincomalee Hospital**

5 Testified to the disappearances of 5 persons by arrest by the Army at the above said places.

2.15 **Disappearance after arrest from other Districts**

8 Testified to the disappearances of the 8 residents of Trincomalee from other districts other than Trincomalee. The witnesses have no information as to their whereabouts.

2.16 **Disappearance after arrest at Sea**

7 persons testified to the disappearances of 7 persons while in boat in the Sea. Some of the witnesses identified the Navy as responsible for the disappearance.

2.17 **Disappearance after arrest from other Villages**

The rest of the evidence was about the disappearances after arrest during cordon and search operations in Villages.

Presidential Commission of Inquiry into Involuntary Movements — North East Province Holden at High Court Premises, Trincomalee from 14.09.1995 to 25.09.1995

Commissioners present ;

Justice K. Palakidnar	-	Chairman
Mr. Walter Widyaratne	-	Member
Dr. W. N. Wilson	-	Member
Mr. S. C. Manicavasakar	-	Secretary
Mr. V. S. Ganesalingam	-	Attorney-at-Law Assisting the Commission

184 Testified regarding the disappearance of 184 persons 24 witnesses were sited by the complainants gave evidence.

A. G. A. Kuchchaveli testified as to the death caused by shell blasting in which 50 persons were reported to have died.

For the purpose of the report the evidence given is classified as follows :—

Place of Arrest/Abduction	*Total Number of Informants who Testified*	*Number of witnesses who Testified*
01. Trincomalee	37	02
02. Chinabay	24	07
03. [illegible]kamam	19	01
04. Kinniya	08	02
05. Nilaveli	09	03
06. Pulmotai	04	—
07. Uppuveli	05	02
08. Kantale	15	02
09. Eachchalampattai	15	02
10. Palayuthu	05	02
11. Muthur etc.	11	
12. Hospital Premises	05	
13. Mc Haser Stadium	03	
14. Arrest at Sea	12	
15. While travelling	08	
16. CVF	01	
17. Extra Killing	03	01
	184	24

01. **Trincomalee Town — Number of Disappeared - 37**

23 persons testifie to the disappearance of 23 persons according to the evidence all these persons have disappeared after arrest on various dates by the Army/Police for which there were eye witnesses.

Further 14 persons testified to abductions of 14 persons on various dates by unknown persons. 01 witness cited by the informants also gave evidence. These arrests were by persons who came in vans without registration numbers during night hours. Of the 37 disappeared except for 4 who are students all others were bread winners for the family.

S. Ananthajothi testified to the abduction and subsequent disappearance of his parents, 6 brothers and a sister and an aunt. About 30 unknown persons came during the night on 14.07.1990 blind folded them and took them away in a bus. There had been a security check point about 200 meters from the place of abduction — vide proceedings in Inquiry. No. T/01.

Sabaratnam Aruldas in his evidence regarding the disappearance of his son stated that one Jainudeen is responsible for the arrest, saw his son was in an army jeep without registration number and Col. Tennekoon who was contacted by Abeyapura Buddhist Priest confirmed that his son is in army custody. He himself had seen his son at the Plantain Point army camp. He has information to say that his son is in a building behind the plantation Point army camp - vide proceedings in Inquiry No. T/904.

02. **China Bay - Number Disappeared - 24**

Evidence was given by 24 persons regarding the disappearances of 24 persons. 7 witnesses cited by the informants testified as to disappearance. Of the disappeared except for 2 who are students others are bread winners for the family. China Bay had been an open field for arrests by Army/Navy/Airforce/Home Guards/Police and unknown groups.

Some of those who testified by name the persons who arrested Home Guards - Nandana, Rajah. C. I. D. Personnel - K. P. Piyasena, Thanasekera, Ranjan.

03. **Thambalahamam-Number Disappeared -19**

According to evidence given by 17 persons, 7 who were arrested by the army assisted by Home Guards in village round ups and 12 arrested by the army from the Kovilady Refugee Camp have disappeared. One witness has identified the Home Guards as Nandana and Rajah. The Refugee Camp was located just apposite the army camp and the arrests have taken place at various dates at the whims and fancy of the Army. Some of the witnesses have seen the arrested at the army camp.

04. **Kinniya- Number Disappeared - 08**

Evidence was given about the abduction 02 by the LTTE and rest were arrested by the Army. Suresh Cassim of the Army was identified by some as the person responsible for the arrests. All the 8 arrested have disappeared.

05. **Nilaveli - Number Disappeared - 09**

According to evidence given 7 were taken away by the Army from the St. Joseph Church permises and 2 were arrested from their homes by the Army. None of them were seen after arrest.

06. **Pulmoddai - Number Disappeared -04**

Of the four that have disappeared according to evidence given except for the two abducted by Tigers the rest were taken away by the Army. There present whereabouts are not Known. Personnel attached to Pulmoddai Army camp were alleged to be responsible for disappearances.

07. **Uppuveli - Number Disappeared - 05**

All the 05 had disappeared. There was no evidence of arrest. They went from their homes but never returned.

08. **Kantale - Number Disappeared - 15**

Except for one abduction by an unknown group all the disappearances have occurred after arrest by the Army and in some cases by the Police. Almost every witness stated that the arrested were taken to sugar factory where there was a detention camp of the army.

09. **Echalampattai - Number Disappeared -15**

of the 15 except for the one abducted by TELO and another by unidentified persons the rest were arrested by the Army and have disappeared. The person who testified as to the abduction by TELO identified the abductors as Kalirasa Pulendran, Rajesh, Yogan, Ganeshan Purnan, Mylan and Gnanam who are presently at the TELO camp at Trincomalee.

10. **Palayuthu - Number Disappeared -05**

of the 5 who have disappeared after arrest by the army 2 were taken away by the army from St. Lourds Church Refugee Camp. One witness who was also taken from the refugee camp and subsequently released have given in detail the torture meted out to those taken to Plantation Point Army Camp. Inquiry No. T/118. He has identified Suresh cassim of the Army as the person responsible for the arrest.

11. **Mutur, Thoppur and kattaparichan Kiliveti – Number Disappeared -11**

10 Persons have disappeared after arrest from this village by the army out of whom 7 during village round ups three from refugee camp and one was abducted by Endle to joint the CVF.

12. **Trincomalee Hospital – Number Disappeared -05**

05 Persons testified as to the arrest and disappearances of 05 persons from the hospital premises on 13.06.1990. The arrest was by the army.

13. **From Mc Hazer Stadium – Number Disappeared -03**

03 persons were arrested by the Army in a round up at the Mc Hazer Stadium on 11.07.1990 and have disappeared. Army had been identified as responsible for the disappearances.

14. **At Sea- Number Disappeared - 12**

03 persons have disappeared after the arrest by Navy on their return from India. 09 others who went to sea for fishing had have not returned.

15. **While on Travel - Number Disappeared - 08**

08 persons have disappeared while travelling from Trincomalee to various other places.

16. **Civil Voluntary Force (CVF) - Number Disappeared - 01**

One person from Trincomalee who was in the CVF in Jaffna have disappeared in Jaffna.

17. **Extra Judicial Killing**

Chief Clerk, at the Divisional Secretary's Office, Kuchchaveli, testified that on 21.06. 1990 there was shell blast at the Selvam Mill at Iqbal Nagar. At that time he said that about 150 people were staying at the Mill and he does not have any particulars as to the exact number who were killed by shell blast. However, he has come to Know about 40 people have been killed.

Three other persons testified that three persons were found dead after arrest.

Presidential Commission of Inquiry into Involuntary Removals - Northern and Eastern Provinces holden at Tricomalee High Court premises from January 23rd 1996 to 27th January 1996

Commissioner present : Dr. W.N. Wilson

1. 84 persons testified before the commission out of whom 75 were complainents who testified regarding the disappearance of 75 persons, each testified about one, 17 were witnesses cited by the complainents to give evidence coroborating the evidence of the complainents, 01 testified as to his arrest, detention and torture and made a request for compensation, 01 testified as to an extra Judicial Killing.

2. Complainents from various parts of Trincomalee testified before the commission.

3. According to the evidence placed before the Commision disappearances have occured after arrest/abduction by various authorities. The authorities responsible for the arrests/ abductions and the number of disappearances for which they are accountable are given below :

Sri Lanka Army	38
Air Force	01
Navy	02
Police	03
LTTE	03
Muslim Home Guards	01
Unidentified Groups	16

4. Out of the 75 who have disappeared 48 were bread winners for the family. There are some public servants and statutary board employees whose dependents are not in receipt of the salaries of the disappeared which they are entitled in terms of government circulers.

5. 03 have disappeared while on travel and 08 others who went for fishing have not returned.

6. Extra Judicial Killing of Saman Lal Srikumara Liyanage. Father of this youth in his evidence have indentfied by name the persons who responsible for the arrest and the disappearance his son and there is evidence to prove detention in an army camp.

7. Complaint of arrest and assault -by Kanapathyipillai Markandu this 57 years person was arrested by the Army Camp at Kaddaiparichan on 16.09.91 and released after 3 years of detention complaints of torture while in detention which has resulted in loss of eye sight for which he appeals for compensation.

ANNEXURE 'D'

CONFIDENTIAL

P. O. Box 1577

Telephones 574166 574173 574174

My No. OPS/O/14/KDS/COM/3

Your No.

OPERATIONAL HEADQUARTERS, MINISTRY OF DEFENCE

Baladhakshi Mawatha, Colombo 03

Date 20 April 95

S.C. Manica Vasagar Esqr
Secretary to the Commission.
Presidential Commission of Inquiry
into Involuntary Removal or Disappearances of Persons
in the Northern and Eastern Provinces.
Room No: 04
Ministry of Justice
Hultsdorp,
Colombo 12.

PRESIDENTIAL COMMISSION OF INQUIRY INTO INVOLUNTARY REMOVAL OR DISAPPEARANCES OF PERSONS IN THE NORTHERN AND EASTERN PROVINCES.

Reference:

A. Your letter PCI/NE/T/11 dated 11th April 1995.

1. The above said letter addressed to the Secretary to the Ministry of Defence was referred to this Headquarters for a report.

2. There are no undisclosed detention camps maintained by the Army in existence.

3. The following detention camps are being maintained by the Army as per Govt Gazette Extraordinary No: 843/12 of 04 November 1994.

i.	Army Camp Thallady	No detainees in custody
ii.	Army Camp Thandikulam	No detainess in custody
iii.	Army Camp Palaly	One detenue in custody
iv.	Army Camp Weli Oya	No detainees in custody
v.	Army Camp Ampara	No detainees in custody
vi.	Army Camp Poonani	No detainees in custody.

The details of the detenue held in custody at the Palaly Army Detention Camp is as follows: Yesume Fernando alias Kennedy. (D/O No: DM/ER2/T/1453) under 17 (1) of the Emergency Regulation. Investigations are being done by the Director of the Criminal Investigation Department, Colombo.

4. Forwarded for your information please.

W P Ranjith Senanayake
Supdt of Police
for Principal Staff Officer.

Annexure 'E'

LIST OF OFFICERS AGAINST WHOM EVIDENCE IS AVAILABLE IN FILES

Serial No.	*File No.*	*Date of Arrest*	*Name of Persons Arrested*	*Name of Officer responsible*
01	T/7	17.09.89	Abeykoon Mudiyanselage Vasantha	Capt. Peiris of Mullipothana, Army Camp and Ariyadasa of Sobia Army Camp.
02	T/7	17.09.89	Abeykoon Mudiyanselage Piyathilaka	
03	T/16	27.04.91	Abdul Wahab Mowsuf	O. I. C Sugar Factory Army Camp, Kantale.
04	T/18	26.08.90	Konamalai Ilanchelian	O. I. C. Police Station, Muthurand O. I. C. Plantain Point Army Camp, Trincomalee.
05	T/28	26.08.90	Nadarajah Umakanthan	O. I. C. Police Station, Muthur and O.I.C. Plantain Point Army Camp, Trincomalee.
06	T/47	28.06.90	Jamoordeen Nowfer	O. I. C. Police Station, Kantale.
07	T/48	05.07.90	Sinnathurai Dias Donald	Capt. Suresh Cassim of Sri Lanka Army.
08.	T/52	17.08.89	Kandekumbura Gedera Tikiri Banda	Capt. Peiris of Sri Lanka Army.
09	T/55	31.08.89	Nissanka Gnanapala	Lt. Athula of Sinha Regiment, Sugar Factory Army Camp, Kantale.
10	T/74	18.08.90	Gunaratnam Gunaseelan	Capt. Suresh Cassim and Corpl. Deen of the Sri Lanka Army and Richard Peiris of the Police.

Serial No.	*File No.*	*Date of Arrest*	*Name of Persons Arrested*	*Name of Officer responsible*
11	T/75	24.10.89	Mapa Mudiyanselage Piyasinghe	O. I. C. Sugar Factory Army Camp, Kantale.
12	T/119	16.07.90	Kathamuthu Gunaratnam	Col. Jerry Alwis of the Sugar Factory Army Camp, Kantale.
13	T/119	16.07.90	Ratnasapapathy Sathananthan	
14	T/155	11.07.90	Paskaran Pushpaharan	Capt. Suresh Cassim and Corp. Deen of the Sri Lanka Army.
15	T/156	23.10.90	Jesuthasan Uthayakumar	Lt. Desapriya Gunawardene of the 'Seven Island' Army Camp, Trinkomalee.
16	T/389	07.07.90	Velupillai Thangarasa	O. I. C. Army Camp, Nilaweli.
17	T/401	11.11.89	Saman Lal Sirikumara Liyanage	Brigadier Weerasooriya and Athula Rajapakse.
18	T/425	13.09.90	Pangiras Gnanapiragasam	O. I. C. Pachchanoor Army Camp.
19	T/261	17.06.90	Darshan Joseph Macaolay Varnakulasinghe.	O. I. C. Plantain Point Arm Camp, Trincomalee.
20	T/264	12.06.91	Sithiravi Yogeswaran	Mr. Abeysekera, O.I. C. Dehiwatta Army Camp.
21	T/266	27.07.90	Varnakulanathan Varatharajan	Mr. Jayasinghe of the Harbour Police, Trincomalee.
22	T/267	19.07.90	Thambiah Maheswaran	O. I. C. Nilaveli Army Camp.
23	T/270	26.07.90	Vethanayagam Perinpanayagam	O.I.C. Police Station, Kantale and O.I. C. Rest House Army Camp, Kantale,

Serial No.	File No.	Date of Arrest	Name of Persons Arrested	Name of Officer responsible
24	T/285	22.06.90	Kanapathipillai Udayakumar	O.I.C. Police Station. Trincomalee Town and O. I. C Fort Fredrick Army Camp.
25	T/288	01.09.90	Kasupathy Karunakaran	O.I.C. Kovilady Army Camp, Thampalakamam.
26	T/305	18.08.90	Francis Jude Jeyakkumar	Mr. Richard Wijesekera, S. P. Capt. Suresh Cassim and Corp. Deen of the Sri Lanka Army.
27	T/325	11.03.91	Rasiah Thangarajah	O. I. C. Kovilady Army Camp, Thampalakamam and Army Officer Mr. Buddasasa of 13th Mile Post Army Camp, Trincomalee.
28	T/328	07.07.90	Soloman Louispillai	O. I. C. Army Camp, Nilaveli.
29	T/341	18.08.90	Anthonydasan Aruldasan	Capt. Suresh Cassim and Corpl. Deen of the Sri Lanka Army.
30	T/369	18.08.90	Kankeyan aritharan.	Capt. Suresh Cassim Corpl. Deen of the Sri Lankan Army and Mr. Richard Wijesekera S.P.
31	T/544	28.07.90	Nadarajah Vipulanathan	O. I. C. Army Camp. Kinniya.
32	T/594	18.12.93	Ramupillai Krishnapillai	O. I. C., Eachchelampattai Army Camp.
33	T/600	25.08.90	Gnanamuthu Soundararajah	O.I.C. Pachchanoor Army Camp.
34	T/602	28.07.92	Chitharavel Gnanasekeram	O. I. C. Verugal Army Camp.

Serial No.	*File No.*	*Date of Arrest*	*Name of Persons Arrested*	*Name of Office responsible*
35	T/608	09.10.90	Muthurajah Nimalarajah	O.I.C. Thampalakamam Army Camp.
36	T/642	06.09.89	Kasthuri Arachchige Piyadasa	Capt. Athula of Sugar Factory Army Camp, Kantale
37	T/642	11.09.89	Kasthuri Arachchige Dharmasena	
38	T/689	19.07.90	Sabapathy Shanmugalingam	Capt. Suresh Cassim of the Sri Lanka Army.
39	T/739	14.07.90	Kulandaivelu Kaneshamoorthy	O. I. C. Nilaveli Army Camp.
40	T/749	07.07.90	Kanagasabai Punniyamoorthy	O. I. C. Nilaveli Army Camp.
41	T/812	22.07.91	Ramupillai Yogarajah	O. I. C Eachalampattai Army Camp.
42	T/828	13.09.90	Francis Manoharan	O. I. C. Thoppur Army Camp.
43	T/904	24.07.90	Aruldas Arulchelvan	Corp. Jainudeen of Plantain Point Army Camp.
44	T/244	18.08.90	Edwin Ragel	Capt. Suresh Cassim and Corpl. Deen of Sri Lanka Army.
45	T/757	04.07.90	Kumaran Thanarajah	O.I.C. Police Station, China Bay.
46	T/309	02.08.90	Noel Annammah	Mr. D.K. Jayasinthe, who was O.I.C. Harbour Police, Trincomalee, during the period from 02.08.90.
47	-	15.06.90	30 persons (Mass arrests in the Base Hospital, Trincomalee)	Capt. of 22 Brigade, Trincomalee.
48	-	11.07.90	52 persons (arrests made at Mc. Heyzer Stadium, Trincomalee.	O. I. C. Plantain Point Army Camp, Trincomalee.

ANNEXURE 'F'

LIST OF PERSONS ARRESTED ON 05.09.1990 AT THE EUSL REFUGEE CAMP, VANTHARUMOOLA

Serial No.	*Name of Person*
01	M. Ramkumar
02	S. Mahendran
03	R. Ragulesan
04	M. Gnanasekaran
05	S. Yogarajah
06	S. Edman
07	V. Thevathasan
08	K. Ganeshan
09	K. Kasithamby
10	J. Krishnapillai
11	J. Sundaralingam
12	K. Mahendran
13	V. Raju
14	V. Yogan
15	N. Vigneswaran
16	P. Punniyamoorthy
17	F. Nandakumar
18	K. Thangathurai
19	E. Packiyanathan
20	M. Vadivel
21	C. Ahamparam
22	R. Giri
23	K. Uruthiran
24	S. Chellathamby
25	S. Vijayasekaran
26	S. Pillainayagam
27	S. Sundaramohan
28	S. Thuraiyan
29	S. Sathiyaseelan
30	G. Thavarajah
31	S. Nadarajah
32	A. Vijayakumar
33	S. Yogendran
34	S. Sabapathy
35	T. Kanagasingam
36	P. Alagiah
37	S. Thevathasan
38	V. Nallathamby
39	C. Thavarajah
40	K. Varatharajah
41	P. Nadarajah

Serial No.	*Name of Person*
42	R. A. Thavendran
43	R. E. Navendra
44	M. Suthahar
45	A. Jeyashankar
46	I. Baskaran
47	S. Suthaharan
48	S. Vivekanandan
49	A. Yogarajah
50	J. Nallaretnam
51	E. Packianathan
52	K. Indran
53	J. Lasar
54	S. Thanigasalam
55	P. Lognathan
56	R. Vinayagamoorthy
57	S. Shanmugam
58	V. Kanniah
59	K. Yogeswaran
60	S. Uthayakumar
61	S. Muthusamy
62	C. Babu
63	K. Ramachandran
64	S. Thurairetnam
65	P. Theivendramoorthy
66	R. Alex
67	S. Thevanesan
68	J. Shanmuganathan
69	K. Sriskandarajah
70	N. Arulanandarajah
71	S. Uthayakumar
72	S. Navaretnam
73	P. Jeevaretnam
74	S. Vinayagamoorthy
75	K. Murugesu
76	T. Thevathasan
77	P. Sivalogeswaran
78	R. Sinnathamby
79	V. Ravi
80	E. Uthayakumar
81	M. Muthukumar
82	S. Ramachandran
83	S. Muraleetharan
84	N. Stanley
85	S. Sundaralingam
86	A. Mahadeva
87	S. Sundaresan

Serial No.	*Name of Person*
88	N. Karunanandan
89	R. Shanmuganayagan
90	Cabriel Alexander
91	E. Thiyagarajah
92	N. Sundaran
93	S. Ravinathen
94	A. Baskaran
95	V. Vijayaretnam
96	S. Dharmarajah
97	N. Ganeshamoorthy
98	K. Navaretnam
99	T. Rajendrakumar
100	S. Murugan
101	M. Raman
102	S. Y ogendran
103	S. Kugendran
104	S. Mahadevan
105	I. Jeyaraj
106	S. Yonachi
107	N. Nagarajah
108	K. Suthakaran
109	S. Suthakaran
110	V. Packiyarajah
111	A. Sathanandakumar
112	S. Vythiyalingam
113	S. Jeyasutharsan
114	S. Sutharsan
115	N. Subramaniam
116	K. Sahadeva
117	R. Lingoon
118	T. Nallaratnam
119	N. Nagarajah
120	K. Selvarajah
121	V. Ravindrakumar
122	K. Kalaimuthan
123	K. Sahadevan
124	K. Thayalan
125	N. Arulanandarajah
126	R. David
127	K. Shanmugam
128	P. Jeevaratnam
129	S. Balasubramaniam
130	K. Rajalingam
131	A. Sinnathamby
132	H. Mohanasundaram
133	T. Poethamparan

Serial No.	*Name of Person*
134	S. Rajendran
135	A. Kanthalingam
136	M. Mohan
137	S. Suhunarajah
138	A. L. Pushparajah
139	S. Kirl.Ipaharan
140	K. Jeyaseelan
141	K. Balendran
142	S. Rajalingam
143	T. Thayalan
144	K. Thamilchelvan
145	A. Uthayakumar
146	S. Vasavan
147	K. Anandaratnam
148	S. Thevathas
149	T. Uthayakumar
150	K. Sathiyanathan
151	P. Uthayakamar
152	M. Koneswaran
153	A. Selvarajah
154	K. Rajendran
155	T. Sureshkumar
156	N. Karunanandan
157	M. Thevakumar
158	S. Puvikamalan

Arrests and Subsequent Disappearances from the Refugee Camp at the Eastern University, Vantharumoolai on 23.09.90

Serial No.	*Name of Victim*
01	Saravanamuthu Arudpragasam
02	Gnanamuthu Wigneswaran
03	Gopalan Yogarasa
04	Kandiah Thavarasa
05	Suntharalingam Ananthan
06	Madhavan Krishanthan
07	Rajadurai Kanagan
08	Veerakuddy Randasamy
09	Muthusamy Ravindran
10	Thangavel Sureshchandar
11	Arumaithurai Vimalan
12	Mankckam Nagiah
13	Thiagarajah Ravindran
14	Krishanpillai Rajan
15	Sinniah Karunakaran
16	Tharmalingam Kularajan

ANNEXURE- 'G'

PERSONS ARRESTED FROM SATHURUKONDAN, KOKUVIL, PANNICHAIADI AND PILLAYARADI

Sathurukondan Village

	Name	*Age*
01	Karthan Elayathamby	55
02	Thambipillai Kanapathi Pillai	50
03	K. Kathirgamathamby	75
04	K. Nallya	72
05	S. Vadivel	65
06	V. Ledchimi	48
07	V. Santhimathi	20
08	A. Umithamby	70
09	U. Karimuthu	55
10	N. Sithrathevi	29
11	N. Sivatharsan	05
12	N. Venuraj	Months 04
13	M. Periyathamby	75
14	P. Ponnamma	70
15	S. Vallipillai	75
16	M. Vyramuthu	55
17	V. Poomani	45
18	V. Sharmila	08
19	V. Jothivadivel	06
20	N. Gnanarathnam	32
21	N. Kumuthini	18
22	N. Tharsini	06
23	M. Thevaki	25
24	M. Sillosaya	07
25	M. Thullasi	04
26	M. Suboshini	12
27	K. Thangamma	75
28	E. Nagamma	26
29	G. Seenithamby	70
30	S. Nallyah	45
31	S. Sinnapillai	35
32	N. Prema	18
33	N. Pradeepan	05
34	S. Alagayah	50
35	A. Nagaratnam	45
36	A. Manjula	18
37	A. Sutha	09
38	K. Elayathamby	59

NATIONAL LIBRARY OF SRI LANKA

	Name	*Age*
Kokuvil		
01	S. Palipodi	62
02	S. Theivanei	45
03	P. Vasanthi	23
04	P. Kavitha	12
05	P. Kamalanathan	09
06	N. Palathai	70
07	E. Thevi	32
08	E. Praba	02
09	E. Theepa	10
10	E. Jegatheesan	10
11	A. Athapillai	72
12	T. Kannaki	25
13	T. Kugan	10
14	A. Arul	09
15	T. Selva	07
16	T. Rasenthiran	04
17	K. Moorthathamby	79
18	K. Sinnamuthu	66
19	S. Sabapathipillai	70
20	M. Pakyam	53
21	S. Ganeswary	38
22	T. Siri	28
23	T. Nathan	12
24	M. Kumatha	23
25	K. Sathis	04
26	U. Kopikannan	12
27	K. Pakyam	46
28	N. Rasama	70
29	P. Ashimuthu	76
30	N. Pakyam	66
31	S. Thangamma	57
32	S. Ponnampalam	55
33	T. Poopalapillai	65
34	T. Malai	55
35	P. Mahaledchimi	31
36	P.Vijeyaledchimi	29
37	P. Siri Ledchimi	18
38	K. Thambyah	65
39	S. Rasalingam	58
40	S. Kasupathyar	60
41	S. Nesam	52
42	S. Thavakuneswaran	25
43	A. Nagaratnam	40
44	A. Eelan	15

NATIONAL LIBRARY OF SRI LANKA N L S L

	Name	*Age*
45	A. Alagaya	10
46	A. Seetha	18
47	A. Jeeva	15

Pannichaiadi

01	Muthaya Thambipillai	72
02	Muthaya Ramaya	70
03	R. Nesamma	62
04	T. Jeyakanthan	10
05	Ratnaya Dukthi	06
06	K. Basikala Thevi	13
07	R. Suthakaran	10
08	K. Kathitgamathamby	68
09	K. Nallamma	66
10	T. Kannmanni	32
11	T. Pratheepan	05
12	P. Mohanasunthary	27
13	T. Thillaiamma	63
14	T. Jegan	09
15	N. Sithirathevi	22
16	N. Sivatharsan	06
17	N. Sivatharshini	04
18	N.Venuthas	Months 03
19	K. Sureskaran	11
20	K. Rameskaran	07
21	A. Ponnuthurai	62
22	P. Paramsothi	37
23	P. Nanthini	16
24	P. Nithakini	12
25	P. Ragu Yaran	10
26	P. Kalitha	06
27	P. Vanitha	05
28	P. Thamanthini	04
29	S. Gunaratnam	33
30	G. Kumuthini	12
31	V. Thangamma	38
32	P. Santhanam	37
33	P. Vinothini	12

NATIONAL LIBRARY OF SRI LANKA

	Name	*Age*
34	K. Sountharan	38
35	K. Keetha	12
36	T. Vijekumar (Kumaran)	08
37	K. Siyamala	13

Pillayaradi

01	K. Elayathamby	55
02	T. Kanapathipillai	50
03	K. Selvanayagam	55
04	N. Sornamma	44
05	S. Ravindran	21
06	S. Nirmala	13
07	S. Yogarasa	14
08	S. Nagadesi	12
09	S. Suresh	011/2
10	K. Thangavel	26
11	S. Ponnamma	24
12	T. Dilani	05
13	T. Kirupakaran	03
14	T. Vasanthi	01
15	V. Nalliah	27
16	S. Jeevamalar	25
17	N. Jegan	12
18	N. Deepan	09
19	K. Arasmma	60
20	P. Nageswary	37
21	S. Punnyamoorthy	13
22	S. Vinothiran	05
23	G. Sountharasa	26
24	S. Thangeswary	24
25	S. Gayanthini	02
26	S. Priya	Months 03
27	Seeni Gopal	57
28	K. Nesamma	48
29	G. Nesamma	25
30	G. Santhiriya	19
31	G. Vanitha	12
32	Kamala	09
33	S. Selvarasa	31
34	G. Thevarasi	27

	Name	*Age*
35	S. Seevaratnam	12
36	S. Induranee	10
37	S. Malar	09
38	S. Kandasamy	29
39	S. Sarojathevi	28
40	K. Kidnapillai	14
41	K. Rasathi	12
42	P. S. Kandasamy	29
43	R. Vijey	08
44	K.Kannan	10
45	K.Karikaran	08
46	K.Kamalan	06
47	K.Karani	04
48	K. Vimala	02
49	M. Sivagnanam	35
50	M. Maheswary	32
51	S. Kavitha	09
52	S. Vijeyan	01
53	I. Murugan	65
54	M. Rasa	24
55	M. Vijeyan	19
56	E. Jeevananoan	30
57	S. Maheswary	28
58	J. Vijeledchimi	10
59	J. Ramani	01
60	S. Sinnathamby	27
61	R. Kamalaraj	11
62	R. Vasanthi	15

Summary

Sathurukundan	38
Kokuvil	47
Pannichaiadi	37
Pillayaradi	62
Total	184

ANNEXURE ' H '

ARRESTS AND SUBSEQUENT DISAPPEARANCES FROM SITTANDY MURUGAN TEMPLE REFUGEE CAMP BY THE ARMY

Serial No.	*Name of Victim*	*Date of Arrest*
01	(i) Murugupillai Kanapathipillai	21.08.90
	(ii) Murugupillai Sivalingam	21.08.90
02	Sivapatham Sasikumar	21.08.90
03	Thangeswaran Keertheeswaran	21.08.90
04	Muthupillai Nagalingam	21.08.90
05	Sinnathamby Kirubairajah	21.08.90
06	Ilayathamby Thangathurai	21.08.90
07	Sellamby Karunakaran	21.08.90
08	Pillayan Thrairatnam	21.08.90
07	Sivarajah Nitharsan	21.08.90
08	Pillayan Thrairatnam	21.08.90
09	Sivarajah Nitharsan	27.08.90
10	Markandu Rajadurai	11.09.90
11	Kanthakuddy Ravichandran	21.08.90
12	Konamalai Sriharan	21.08.90
13	Nagamany Mohan	21.08.90
14	Sithamparapillai Kanagasuriyam	21.08.90
15	Natkunam Udyakumar	21.08.90
16	Alagaratnam Pusparanee	21.08.90
17	Muthulingam Pushparajah	21.08.90
18	Sinnathurai Manoharan	02.08.90
19	Sellathamby Amirthalingam	02.08.90
20	Vyramuthu Sivayoganathan	21.08.90
21	Thambirajah Nagarajah	21.08.90
22	Vellakuddy Kavindirarajah	21.08.90
23	Nallaratnam Ravindran	02.08.90
24	Perier Sivalingam	24.12.93
25	Kandiah Kulanthaivelu	02.08.90
26	(*a*) Samithamby Thuraisamy	22.01.92
	(*b*) Thuraisamy Rajalingam	22.01.92
27	Subramaniam Sivapragasam	21.08.90
28	Eliyathamby Selvarajah	02.08.90
29	Kandasamy Suthakar	21.08.90
30	Moses Alexander	27.06.90
31	Sellathamby Selvanayagam	21.08.90
32	Kumarasamy Theivanayagam	05.09.90
33	Rajendram Mariadas	02.08.90

ANNEXURE 'I'

Arrests and Disappearances at the Kommathurai Army Check Point

Serial No.	*Name of Victim*	*Date of Arrest*
01.	Jersly Weldt	11.09.90
02.	Thangarajah Kanagasabai	12.10.90
03.	Chandradasa Padmasiri	09.10.90
04.	Muthiah Robert	09.10.90
05.	Alexander Kattabomman Joseph	09.09.90
06.	Nagalingam Velmurugu	29.09.90
07.	Muthukumar Sahayan	28.09.90
08.	Kanapathipillai Sathiyaseelan	12.10.90
09.	Krishnapillai Gunam	27.10.90
10.	Kandappar Selvanayagam	09.10.90
11.	Premapala Manmatharajah	11.09.90
12.	Konesan Tissaweerasingham	24 10.90
13.	Kulasingham Yogendran	11.06.90
14.	Velayutham Shanmugarajah	12.10.90
15.	Kirubairajah Krishnapillai	06.10.90
16.	Velmurugu Selvarajah	04.08.90

Annexure 'J'

To: The Presidential Commission of Inquiry into Involuntary Removal and Disappearances of Certain Persons in the Eastern Province
Mr. K Palakidnar, Chairman
C/o Ministry of Justice,
Hulftsdorp, Colombo 12, Sri Lanka

From: Patricia Lawrence
MacArthur Research Fellow and Fulbright Scholar
International Legal Studies Program
Denver Law School, 1990 Olive Street, Denver 80220, USA

Date: February 7, 1995

Subject:—Disappearances of 184 unarmed residents of Saturukondan, Pannichaiyadi, Pillaiyaradi, and Kokuvil . in Thannamunai, Batticalloa District, Sri Lanka on September 9, 1990.

Background: —In the years 1991, 1992, 1993 and 1994 I conducted PhD research in the discipline of cultural anthropology in Batticaloa District, Sri Lanka. My PhD field research in Sri Lanka was funded by the Social Science Research Council-MacArthur Foundation Program and the U.S. Education Foundation. Although I had already lived in Batticaloa earlier, the American Ambassador and popolitical officers were

concerned that the "security situation" was too dangerous for me to pursue studies in Batticaloa District, where my proposed research was located, and I therefore withdrew my studies to Colombo for a period of Fulbright funding, returning when the political climate was more settled. My research concentrated on the revitalization of local religion and rituals of healing physical and psychological illness, focusing on activity at Local Amman temples of which there are more than one hundred 'Batticaloa District's villages, hamlets, and towns. As you might expect in a region where the health care infrastructure collapsed and psychiatric assistance is absent, assisting shattered families in their attempts to cope with unresolved grief of "disappearances" and other forms of war injury [1]has become a large part of the daily healing work of local *Amman pucari*-s oracles, and religious specialists. I base this independent report on information I received in the course of doctoral field research in Batticaloa District. Many Batticaloa residents believe that each locally enshrined *Amman* is a source of protection and well being whose powers are particularly strong in the immediate territory of her surrounding *u r.* Hindu residents further believe that if local goddesses are properly propitiated, peace will prevail in the region. A correlation is frequently made in the logic of local residents with misfortune of extrajudicial executions or massacres in places like Kokkadiccolai, Mahaladitivu, Vellaveli, Palugamam, and Saturukondan, among others, with neglected or improperly conducted annual ceremonies of propitiation and delayed recnostruction of damage to *Amman* temple structures. In Saturukondan, there is an old Kannakiyamman temple situated next to a large lotus tank which had not been repaired since the devastating cyclone of 1978. Saturukondan has also been the site of a massacre of many unarmed women, children and elderly people after the intensification of violence in the eastern war zone in 1990. Thus, people in the area believe that the *Amman,* in this case, *Kannakiyamman* (known as Sinhala as *Pattini*), has withdrawn her powers of protection. Most surviving members of these families are afraid to speak forthrightly about what has taken place there. This is fully understandable as they live in a region contested by the Liberation Tigers of Tamil Eelam and the government of Sri Lanka where government security forces checkpoints and camps have become entrenched and arbitrary arrest common. In Thannamunai as elsewhere in Batticaloa District, people generally attempt to give the impression that they know little about the activities of the security forces, the LTTE, TELO, PLOTE, ENDLF, EPDP, gangs such as Mohan's and past activities of individuals such as Munas - because they hope that the less they publicaly appear to know, the safer they will be. *Today most Batticaloa residents reject all sides of the protracted political conflict, and seek neutral space in local religion.* As the current situation is one in which political silence prevails in public, I give below a synopsis of information conveyed to me about the loss of their family members, and I give this in the spirit of standing next to them, rather than speaking for them. The independent report I offer to your Commission

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1 These data are too extensive to discuss here, however briefly summarized: common war injury other than "disappearances" were cases involving repetitious arrest and systematic torture, extortion practices of the LTTE and other armed Tamil organizations (TELO, PLOTE, and Mohan's group) working alongside the security forces, displacement, economic paralysis, disintegration of traditional matrilocal marriage practices, and severe post trauma~c stress.

follows. I have tried to piece together as accurate a picture as possible from the information that has been shared with me by individuals too numerous to count, who trusted me as a neutral party.

Independent Report

After the LTTE slaying of Muslim people in Eravur on August 12, 1990, people living in nearby Tamil villages were frightened by the possibility of retaliatory killings by the Muslim Home Guards in Eravur, who were by that time armed by the government. People were so frightened that many of the Tamil men and boys of these villages were sent out of the area by their families for their own safety. The Sri Lanka army rounded-up twenty-two young Tamil men after the LTTE killings in Eravur and detained them. Eighteen were released after beatings and torture, and managed to travel the distance home to be reunited with their families. According to the understanding of people living in Thannamunai, four of those arrested were killed and their bodies were burned near the Saturukondan army camp. Male members of families, who were most at risk in the context of house-to-house arrests under the Prevention of Terrorism Act and Emergency Rule, left their homes and were waiting in Batticaloa town and safer places for the climate of intense fear around the Thannamunai area to dissipate.

For these three weeks there had been numerous rumours that armed Muslim Home Guards were moving south from Eravur, taking their revenge on Tamil households as they came, so an unbearable state of tension and fear continued to mount in these neighbourhoods where much tragedy had already been experienced in the course of the war, including a battle between the LTTE and the forcibly conscripted TNA when the Indian Peace Keeping Forces were withdrawn by Delhi.

Then on **September 9 1990, around** 5:30 in the evening, a large group of "commandos (40-50) came to the houses in Thannamunai, reporting to the people that Muslims were "coming and killing people on their way", and telling the frightened people to leave their houses and come with them, assuring them safety. Some of the "commandos" were carrying guns and wearing civilian clothes, and others were in uniform. Furthermore, local people explained to me, that the commandos told them the Officer in Charge of the Saturukondan army camp wanted to see them. The impression given was that the OIC *would advise them*. The people collected on the road and went with the commandos to hear the OIC' s advice. Mothers swept up the littlest children and carried them for miles on the walk to Saturukondan army camp. (*Note*: There is some divergence in the method of persuading people to walk all the way to the Saturukondan army camp from these hamlets in the formal letter of October 9, 1990, written by the Batticaloa Peace Committee to Brigadier A. M. U. Seneviratne, Commander. Third Brigade. The Peace Committee's letter states: "a group of men in uniform and civil clothes, armed with weapons had arrived at the villages of Sathurukondan, Kokuvil, Panniyachaidai and Pillayaradi, and taken away a large number of civilians of these villages. The family members and relations of the missing persons inform us that immediately on arrival the group ordered the residents that all people including elderly men/women, children and infants should get on to the road. The residents were warned that anyone refraining to come out of their homes would have to face death. Therefore, everyone without any exception gathered at the

Roadside. Thereafter they were directed to proceed to a location in the vicinity of the Boys Town, Sathurukondan

On that evening many frightened mothers with infants and their children, who had remained in their homes for some weeks without the presence of the male members of their families, walked together along the road to the Saturukondan army camp seeking the advice of the Officer in Charge. This is why such a large percentage of this group of residents were women, children, and the elderly. According to the attached list of the "disappeared" drawn up by the Batticaloa Peace Committee, 69 of the victims were twelve years of age or younger, and 16 were seventy years old or older.

As the Committee may be aware, there was one survivor in the group which walked to the Saturukondan army camp that evening. One young man, twenty one years old at the time, received injuries but managed to crawl out of sight and make his way to his uncle's house in Batticaloa town. His father is a firewood chopper, and he is described as a "simple boy," vulnerable to arrest by the security forces even today. His right to life should be carefully guarded and respected, and he should not be endangered or psychologically disturbed by this inquiry in any way. His account recorded on tape by the Batticaloa Peace Committee, included the sentence (translated into English from Tamil (I saw them dragging people and cutting them with the sword one by one and putting the bodies in a ditch." (There are copies of this tape-recording outside Sri Lanka which could be made available to the Commission. I hasten to add that the recording was made when the boy was under severe post traumatic stress, and may not be as important as statements by others which could be given today.)

Local people found it difficult to believe the large number of children involved had also been killed and burned in the ditch, and for months afterwards some held onto the hope that occasional sounds of youths playing inside another nearby army camp on the Trinco Road were the voices of the lost children.

Family members of those who disappeared on September 9, 1990, at Saturukondan lived as refugees in and around Batticaloa town for about one year. When their relations did not return that night they decided to go into Baticaloa town early the following morning. Some people stayed in St. Mary's convent (nearby St. Theresa's on the lagoon). The next year the government offered Rs. 2,000 per household for resettlement. When the frequency of security forces operations and activities of insurgent LTTE cadres diminished, these surviving family members began returning to their homes in the *Kokuvil, Pannichaiadi, Pillayaradi, Saturukondan* area. By that time it was public knowledge in Batticaloa that the victims bodies had been burned with tires in the ditch where they had been thrown by their attackers in the Saturukondan Boys Town army camp. Numerous Batticaloa residents, impressing upon me the thousands of disappearances and severity of widespread political violence experienced in 1990, suggested that I could take a drive out that way and have a look at the skeletons — a suggestion I did not take up. Some of the Catholic Sisters, however, did venture out to the Boys Town site and were among the first to view the remains of those who lost their lives in this particular massacre. Prior to these "troubled times" (*piraccanai natkal* the Boys Town functioned under the administration of the Sisters.

On September 10, 1990, Colonel Percy Fernando, the injured youth who had managed to escape from the massacre the previous night and,' a citizen of Batticaloa town **went briefly to look for evidence of these extrajudicial killings**, but the severely traumatized youths was unable to locate the place. The Sri Lankan army then pressured the President of the Batticaloa Peace Committee to sign a statement to the effect that there was no evidence of a massacre, as the Peace Committee had alleged. Mr. T. Arunagirinathan signed the statement and then resigned as **President of the Peace Committee**. This forced statement was the begining of three consecutive. Third Brigade Brigadiers' consistent denial of the occurrence of a massacre of unarmed civilians by the Sri Lankan Army on September 9, 1990 at Saturukondan Boys Town Army Camp.

When surviving family members began the resettlement process at the government's prompting the following year, they were confronted with another dilemma when they began to clean out their wells. At Saturukondan, residents put a pole in a well and found there was a sari, and as they pulled it they saw there was also a skeleton. A number of wells contained the remains of their lost ones. They came into Batticaloa town and spoke with the new Grama Sevaka, who in turn went to the A. G .A. asking "How can these people return; how can they drink this water?" The order was given to break in such wells and conceal them by covering them with sand. The corpses were left in the wells, and they were covered over. Money was allocated for new well construction by the A. G .A. (who has since died). The climate of fear and broken trust was so great at that time in Batticaloa, people didn't want to bring evidence of extrajudicial killings which were in their very household compounds to the attention of the army for fear of retaliatory murders. This fear was the main reason for concealing the evidence contained in the wells. I asked people why they thought the bodies were in the wells, and they *offered two explanations* (a) the bodies might have been dumped to remove evidence of extrajudicial executions, or (b) Tamil women might have jumped into a well to escape rape.

Most of the residents of Saturukondan, Kokuvil, Pannichaiadi, and Pillayaradi are poor, and as a result of their impoverishment some individuals have constructed false statements about the circumstances of the deaths of lost family members in order to collect death compensation to enable the surviving to live. Such records should not be used by the Ministry of Defence as evidence to disprove the tragedy of the deaths at Saturukondan.

In May of 1994, people living in Thannamunai observed army soldiers removing bones from the main ditch at the site of the massacre, and burning these bones to ashes *a second time* in a series of piles. Close to this date, Brigadier Rohan Gunawardena Commander of the Third Brigade at that time, was asked by human rights advocates whether or not any progress was being made in conducting an inquiry into the "disappearances" at Saturukondan. He replied that he was not aware of any event of "disappearances" in that area of Batticaloa District. In the next breath, he offered the advice that it was time to forget the past and build a new future. Although Brigadiers seem to have been given the power to authorize or deny historical realities, people will remember what cannot be erased from anguished memory. What is needed in Thannamunai, and places like it throughout the island, is the development of the will to understand, and public acknowledgement of the immense suffering this shift in attitude would bring healing and a new future.

In closing I suggest that the Catholic Sisters who housed refugees from Thannamunai and those who viewed the remains of victims at Saturukondan, and certain devotees of the Satutukondan Kannakiyamman Kovil (which will open its doors for the first time in sixteen years in March 1995) are worthy of approaching for evidence which contradicts the effacement of extrajudicial killings of women, the very young, the very old and the innocent at Saturukondan in September 1990. It is widely recognized by scholars and devotees in Sri Lanka and around the world, that the traditions of Pattini/Kannaki worship are part of a deep historical tradition shared by both the Sinhalese and Tamil ethnic communities. During my field research on the east coast, I met a government soldier from a large impoverished Sinhalese family, who in the course of years of duty in the interior of Batticaloa had become an oracle for *Pattini Ammnan* . Tamil people appreciated his respectful presence at *Amman* temples in Batticaloa, where I often saw him during days and nights of annual temple rituals to please the goddess. With the friendships was able to make among local Tamil people in mind, I wish to close my independent report with respect, and with these words:

May the grace of Saturukondan Kannakiyamman/Pattiniyamman be with you in the course of your responsibilities as a Commission of Inquiry into Involuntary Removal and Disappearances of Certain Persons. Perhaps the government of Sri Lanka would consider placing a memorial to those whose Lives have been lost by the lotus tank of this Amman temple. The idea of such a memorial has been conceived by the people there, but remains only a wish.

Annexure 'K'

LIST OF PERSONS ARRESTED IN CHENKALDAY

Serial No.	*Name of Victim*	*Date of Arrest.*
01.	Merick Vandahovan	14.10.90
02.	Vijaarajah Vijayakumar	28.07.93
03.	Muthulingam Kusalavan	14.04.91
04.	Ganeshamoorthy Rauindran	24.09.92
05.	Suppiah Chandrabos	15.08.90
06.	Veerakkuddy Thangarasa	03.12.92
07.	Kandasamy Kubendiran	30.09.93
08.	Gregory Jonsan	24.09.93
09.	Velmuruga Rameswaran	12.09.93
10.	Sinnathamby Somasunderam	01.03.93
11.	Sinnathamby Keerthisingham	14.10.90
12.	Bastiampillai Gabrielappu	22.09.90
13.	Ramalingam Vijayaratnam	16.08.90
14.	Sulaima Lebbe Mohamed Mahir	11.12.90
15.	Velayutham Sithiravel	27.11.90
16.	Thamotharampillai Nallaratnam	05.09.90
17.	Kanapathipillai Krishnapillai	15.10.92
18.	Muthiah Robert	09.10.90
19.	Samuel Thevathasan	05.09.90
20.	Kandiah Sathyanathan	05.09.90

Serial No.	*Name of Victim*	*Date of Arrest*
21.	Kandakutty Kulanthai Vadivel	23.03.93
22.	Ratnam Ganeshan	.89
23.	Sellathurai Seenthamby	13.06.91
24.	Manmadarasa Premabala	11.09.90
25.	Tissaweerasingham Koneshan	24.10.90
26.	Elayathamby Athapillai	21.01.91
27.	Kanagaratnam Sivanandam	28.05.90
28.	Istravel Paulrajah	17.08.90
29.	Kidnapillai Kunam	27.10.91
30.	Perinpam Ramesh	09.10.90
31.	Subramaniam Nagarajah	24.12.89
32.	Masilamany Marimuthu	31.10.91
33.	Parasuraman Sivalingam	31.10.91
34.	Sinnan Kandumany	11.06.90
35.	Lingiah Manoharan	11.07.90
36.	Velu Aruliaha	14.08.90
37.	Sinnathamby Packiyarasa	11.09.93
38.	Thiyagarajah Ravindran	23.09.90
39.	Kanthakkuddy Panchadcharam	17.02.93
40.	Thangavel Ketheswaran	15.08.90
41.	Kanapathipillai Ketharam	21.12.92
42.	Jegatheesan Jeyakumar	13.09.92
43.	Sellathamby Pragalanathan	14.12.96

Annexure 'L'

Abductions made by the L. T. T. E. from Kattankudy

Serial No.	*Name of Victim*	*Date of Arrest*
01.	Mohamed Aliyar	20.07.91
02.	Mohamed Musthafa Mohamed Haniffa	12.12.90
03.	Mohamed Sithik Mohamed Ameen	12.02.90
04.	Mohamed Ismail Nafardeen	13.04.85
05.	Adam Lebbe Badurdeen	29.01.90
06.	Adam Bawa Abdul Mubarak	10.10.89
07.	Mohamed Usanar Mahpool	26.05.90
08.	Sulaima Lebbe Hussain	29.09.90
09.	Mohamed Lebbe Gayathu Mohamadu	01.01.88
10.	Asanar Ayub Khan	26.07.92
11.	Mohamed Pasi Abdul Salam	29.01.90
12.	Adambawa Jamaldeen	14.08.91
13.	A. Lebbe Aliyar	23.08.90
14.	H. Mohamed	01.08.88.

Annexure 'L - 1'

Arrests made by Unknown persons in the Batticaloa District

Serial No.	*Name of Victim*	*Date of Arrest*	*Place of Arrest*
01	S. Ravindran	12.07.90	Araiyampathy
02	E. Kandiah	28.11.90	Batticaloa
03	E.A. Jhonson	23.08.92	Thimilativu
04	T. Shanthakumar	05.11.89	Batticaloa
05	A. Meerasaibu	21.11.90	Valaichenai
06	M. Yasotharan	13.04..91	Batticaloa
07	S. Shanthakumar	17.01.92	Baitticaloa
08	S. Thayaparam	14.06.90	Kallady
09	M. L. F. Ahamed	02.06.90	Meeravodai
10	S. Sivakaran	10.08.90	Ariyampathy
11	V. Nilkumar	15.01.92	Batticaloa
12	K. Selvanayagam	o9.09.90	Batticaloa
13	T. Nagiah	18.02.90	Batticaloa
14	K. Jeyakody	08.08.90	Batticaloa
15	A. Krishnathasan	16.12.89	Batticaloa
16	S. Chandrasekaran	01.11.90	Valaichenai
17	S. Sinnathamby	28.02.91	Batticaloa
18	K. Loganathan	02.12.90	Karuwakerny
19	A.A. Sadhath	08.10~90	Batticaloa
20	K. Gunaratnam	18.09.90	Kslllaru
21	T. Thiyagarajah	09.04.91	Thirupperunthurai
22	A.L.A. Cader	12.07.90	Kurukkalmadam
23	K. L. Athambawa	12.07.90	Kurukkalmadam
24	N. Nallaratnam	16.10.91	Vellaveli
25	S. Sunil	13.05.91	Nasivanthivu.
26	W. Perera	22.11.91	Valaichenai
27	S. Nadarajah	09.09.90	Kokuvil
28	T. Konesan	24.10.90	Kommathurai
29	N. Jeevamalar	09.09.90	Kokuvil.
30	N. Jeganathan	09.09.90	Kokuvil
31	R. Kamalraj	09.09.90	Kokuvil
32	T. Nallaiyah	09.09.9o	Kokuvil
33	T. Jegatheepan	09.09.90	Kokuvil
34	S. Nadarajah	04.12.90	Periya Kallar
35	N. Ramesh	04.12.90	Periya Kallar
36	T. Uthayakumar	18.12.89	Puthur
37	S. Shanmugarajah	13.12.90	Thalankudah
38	T. Alvapody	14.04.88	Arayampathy
39	P.K. Rahuman	12.07.90	Kurukkalmadam
40	K. Uthayakumar	24.02.91	Mandur
41	H. Mohmed	01.08.88	Kiran
42	A. Athamlebbe	15.03.92	Palamunai

Serial No.	*Name of Victim*	*Date of Arrest*	*Place of Arrest*
43	M. Farook	12.07.90	Kurukkalmadam
44	A. Siva	10.08.90	Veeramunai
45	K. Dayaparan	24.03.92	Thikkodai
46	K. Mahalingam	19.12.90	Kalmunai
47	Y.B.H. Mohamed	12.07.90	Kurukkalmadam
48	S. H. Rahuman	12.07.90	Kurukkalmadam
49	S. Julian	26.03.88	Batticaloa.
50	R. Vivekanandan	26.08.90	Batticaoa.
51	P. Nagarajah	21 07.90	Batticaloa
52	A. Thedchanamoorthy	05.07.94	Mandur
53	N. M. N. Shaheeb	01.01.88	Kallady
54	S. Panchadcharam	21.07.93	Batticaloa
55	S. Thangeswaran	31.10.90	Batticaola Hospital
56	K. Mahendran	15.12.89	Batticaloa
57	B. Gaurielappu	22.09.90	Chenkalady
58	S. Thiyagarajah	29.08.90	Valaichenai
59	M. L. Vellai Umma	12.08.90	Mavadichchenai
60	M.I. Nawfer	12.08.90	Mavadichchenai
61	N. Sudhaharan	09.07.90	Batticala.
62	M. Cassim	12.07.90	Kurukkalmadam
63	M. I. A. Rahuman	25.06.92	Batticaloa .
64	U. L. M. Sheriff	07.08.90	Meeravodai
65	M. Pulenthirajah	12 09 89	Peri,yakallar
66	M. Aliyar	20.07.91	Kathankudy
67	R. Soundaram	09.09.90	Sathurukondan
68	S.M. Mahruff	12.07.90	Kurukkalmadam
69	I. Stanislaus	18.01.91	Batticaloa
70	M.A.M. Buhary	02.01.88	Oddamawadi
71	M.M.M. Haniffa	12.12.90	Kathankudy
72	N. Ramesh	12.07.89	Batticaloa
73	S. Yogarajah	12.07.90	Batticaloa Market
74	T. Vamanarajah	12.08.90	Aralipattai
75	U. A. Gaffoor	26.07.92	Ponochchimunai Sea.
76	T. Thurairajah	17.07.90	Nochchimunai
77	M. H. A. Hameem	12.07.09	Kurukkalmadam
78	B.M.T. Bandara	04.07.91	Kokaddicholai
79	A. Lebbe	02.07.90	Welikanda
80	M. Mustaffa	10.07.91	Batticaloa
81	A. A. Gaffoor	25.07.92	Pon ochchimunai
82	I .L. Abdul Jabbar	14.12.90	Valaichenai
83	A. Sathar	12.07.90	Kurukkalmada
84	N. Thiruchelvam	04.11.89	Puttur
85	T. Srikanthan	26.06.90	Puttur
86	S. Ketharalingam	15.09.91	Kokkaddicholai
87	T. Ravindrakumar	27.07.91	Batticaloa
88	M. S. M. Jabeer	12.07.90	Kurukkalmadam

Serial No.	*Name of Victim*	*Date of Arrest*	*Place of Arrest*
89	M. I.M. Faiz	12.07.90	Kurukkalmadam
90	J. P. William	10.06.90	Batticaloa
91	A. Gunasiri	19.01.86	Chenkaladi
92	H. H. Sunny de Silva	07.07.90	Batticaloa
93	H. Amarasuriya	28.05.90	Welikanda
94	S. Pathiratnam	20.08.88	Kathankudy
95	M. C. Mohamed Uvais	12.07.90	Kurukkalmadam
96	L.. Sithiravel	20.08.90	Batticaloa
97	W. Anandan	03.08.90	Thettativu
98	J. Tissarauban	12.12.89	Jayanthipuram
99	T. Singarasa	25.10.90	Ponna cholai
100	E. Thilliah	03.12.90	Sammanthurai
101	A. A. Mubarak	10.10.89	Kathankudy
102	K. Subramaniam	07.05.90	Batticaloa
103	S. Mohanadas	27.05.93	Batticaloa
104	V. Manian	25.08.90	Mankadu
105	K. Arihesan	20.10.90	Morakoddanchenai
106	K. Sundararajah	20.10.90	Morakoddanchenai
107	K. Moothathamby	09.09 90	Sathurukendan
108	M. Sinnamuthu	09.09.90	Sathurukondan
109	H. M. F. Ameer	12.07.90	Kurikkalmadam
110	R. Yogarajah	12.04.94	Mahilavedduwan
111	K. Uganathan	21.07.90	Wakarai
112	K. Udhayanathan	21.07.90	Morakoddanchenai
113	M. Thiyalanathan	16.12.93	Kotahena
114	P. Kandasamy	24.02.92	Aliyarodai
115	P. Poopalapillai	24.02.92	Aliyarodai
116	S. Thevanandan	17.08.91	Batticaloa
117	K. Thavarajah	11.08.89	Vellaveli
118	K. Ketharapillai	12.01.91	Bakkiella
119	K. Geetha	09.09.90	Sathurukondan
120	P. Asokumar	09.01.90	Maradana.

Annexure 'M'

List of Police Personnel who disappeared on 11.06.1990

Serial No.	*Name of Victim*	*Police Station from which they disappeared*
01.	Upali Ananda Gunawardene, S.I.	Kaluwanchikudy.
02.	Namalgamu Pathiranalage Douglas,Mallikaratne, R.P.C.	Kalkudah.
03.	S. K. D. Wijewardene, P.C.	Valachenai.
04.	Y. K.U. Tissa Bandara, P.C.	Valachenai.
05.	C. M. Gamini Chandrasekera, P.C.	- do-
06.	Suntharalingam Kamalasuriyam, P.C.	Batticaloa.
07.	Ranhamy Mudiyanselage Nihal Chandrasiri, P.C.	Valachenai
08.	Athulathmudalige Upul Naynapriya Abayasekera, P.C.	- do-
09.	Kanganam Pathiranage Wijesiri, P.C.	- do-
10.	Aluthwatte Gedera Anura Abeysinghe.	Kalkundah.

Annexure 'N'

Arrests made by the Special Task Force Personnel and Subsequent Disappearances

Serial No.	*Name of Victim*	*Date of Arrest*	*Place of Arrest*
01.	Karthigesu Kulendiran	24.10.92	Kaluwanchikudy.
02.	Thambirajah Thilleswaran	05.12.90	Periyaneelavanai
03.	Sellasurai Thangavel	04.12.90	Periya Kallar
04.	Pillayanthamby Visvalingam	12.09.90	Thuraineelavanai
05.	Thinagaranpillai Nesadurai	26.06.91	Koddai Kallaru
06.	Elayathamby Chandrakumar	03.08.90	Kallaru
07.	Ponnudurai Prapha	06.08.90	Kaliaru
08.	Perinparajah Christy Rajkumar	05.01.91	Periyakallar
09.	Palanithamby Manikkam	04.12.90	Periyakallar
10.	Panikkapdi Kurukulasingam	13.01.94	Kattankudi.
11.	Krishnapillai Thanabalasingham	14.01.94	Kattankudi
12.	Rajasingham Sritharan	05.12.90	Koddaikallar
13.	(*a*) Vinasithamby Rasu	25.01.91	Periyaneelavanai
	(*b*) Vinasithamby Mohan	27.01.91	Kallar
14.	Kanapathipillai Pathmanathan	23.04.91	Periyaneelavanai
15.	Gnanapragasam Gunaratnam	13.09.90	Batticaloa.
16.	Sathurukapodi Suntheralingam	05.12.90	Neelavanai
17.	Kumar Suthakaran	10.10.90	Periyakallar
18.	Kanlagasabai Uthayachandran	04.12.90	Periyakallar
19.	Armugam Parasuraman	14.10.94	Bakkiella
20.	Namasivayam Rajeswaran	12.02.91	Koddaikallar
21.	Muruhan Vijayakumar	12.09.90	Thuraineelavanai.
22.	Sellan Kanapathipillai	05.12.90	Periyneelavanai
23.	Vinayagam Ramalingam	05.12.90	Neelavanai
24.	Kandasamy Krishnapillai	29.06.91	Eruvil
25.	Veerakulasingham Kulanayagam	17.07.90	Periyakallar
26.	Arasaratnam Amirthalingam	18.04.90	Mandur
27.	Krishnapillai Theivendiran	29.06.91	Eruvil
28.	Karuval Kalikutti	30.12.90	Arayampathy
29.	Kirupainathan Camilus	08.09,90	Periyakallar
30.	Alagiah Thedchanamoorthy	05.07.94	Mandur
31	Ehambaram Narayanamoorthy	05.07.94	Mandur
32	Arumugam Rajaratnam	05.06.88	Kaluwanchikudy
33.	Selvanayagam Benedict	18.07.90	Valachenai
34.	Kathiravel Ganeshamoorthy	05.12. 90	Kaluwanchikcudy
35.	Alagipodi Ravindran	20.07.90	Thettathivu
36.	Tharmalingam Rajaratnam	18.09.90	Koddailkallar
37.	Murugupillai Ragavan	24.10.92	Kaluwanchikudy
38.	Vadivel Ravishankar	23.06.90	Eravur
39	Nadarajah Gopalakrishnan	18.09.90	Koddaikallar
40	Thanenthiran Justus	21.06.90	Valachenai
41.	Kanagasabai Namasivayam	13.09.90	Koddaikallar
42.	Thambipillai Pathmanathan	05.12.90	Thraineelavanai

Serial No	*Name of Victim*	*Date of Arrest*	*Place of Arrest.*
43.	Samithamby Vinayagam	05.09.90	Thraineelavanai
44.	Velupillai Thiyagarajah	14.10.94	Bakkiella
45.	Kandiah Amirthalingam	14.10.94	Bakkiella
46.	Thangarajah Kamalanathan	05.07.94	Mandur
47.	Ratnam Nesaratnam	08.10.90	Thettativu

Annexure 'O'

List of Persons arrested by Tigers at Kurukkalmadam, Batticaloa on 12. 07. 1990

Serial No	*Names of Victims*
1	Pallithamby Kaleel Rahman
2	Hayathu Mohamed Fouzul Ameer
3	Asanar Hadji Mohamed Farook
4	Mohamed Adam Lebbe Ansar
5	Yasim Bawa Hadji Mohamed
6	Shahul Hameed Habibur Rahman
7	Sintha Saibu Adambewa
8	Ahamed Lebbe Mohamed Cassim
9	Ibra Lebbe Subaideen
10	Mohamed Haniffa Abdul Hamim
11	Seeni Mohamed Mohideen
12	Sahul Hameed Mohamed Mahroof
13	Mohamed Haniffa Mohamed Laffir
14	Sulaima Lebbe Mohamed Mansoor
15	Aliyar Mohamed Abubuckzar
16	Mohamed Musthafa Ahamed
17	Mohamed Lebbe Mohamed Rafeek
18	Mohamed Musthafa Mohamed Jabir
19	Mohamed Lebbe Abdul Sathar
20	(*a*) Mohamed Ismail Mohamed Jabir (*b*) Mohamed Ismail Mohamed Faiz
21	Mohamed Cassim Mohamed Uvais

Annexure 'P'

Arrests made from the Refugee Camp at Thettativu Roman Catholic Church

Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
01.	Sriskandarajah	20.07.90	Refugee Camp, Army
02.	Wijayakumar	20.07.90	Refugee Camp, Army
03.	Nanthan	14.07.90	Refugee Camp, Army
04.	Jothipala	17.07.90	Refugee Camp, Army
05.	Kanapathipillai	26.05.90	Refugee Camp, Army
06.	Pushparajah	20.07.90	Refugee Camp, Army
07.	Sivrajh	08.10.90	Refugee Camp, Army
08.	Thiyagarajah	08.10.90	Refugee Camp, Army
09.	Pathmarajah	08.10.90	Refugee Camp, Army

Annexure 'Q'

Arrests made by Security Personnel Stationed at Valaichenai Petrol Shed Camp

Serial No.	*Name of Victim*
01	Senathirajah Vasanthakumar
02	Kandiah Pathmarajah
03	Sellathurai Gopalasingham
04	Nallathamby Ganeshan
05	Musthapha Lebbe Latif
06	Nagappan Kanapathipillai
07	Kandasamy Yogarasa
08	Thangarasa Sundaralingam
09	Sinnathamby Arumugam
10	Valliyan Shankar
11	Kulandivel Thiyagarajah
12	Periyathamby Velupillai
13	Murugapillai Thangavel
14	Elayathamby Ganeshan
15	Kandiah Karunakaran
16	Sinnathamby Dayabaran
17	Velmurugu Thambiaiyah
18	Kasinathan Gnanaratnam
19	Gopalan Ravikumar
20	Ramanathan Devakumaravel
21	Murugappan Balasundaram

Serial No.	*Name of Victim*
22	Nallathamby Nadarajah
23	Sellathamby Nithyanandarajah
24	Saravanai Theivendran
25	Paththiniyan Sivarajah
26	Velayuthan Ravikumar
27	Arumugam Sivanandarajah
28	Shankaran Udayakumar
29	Sellathamby Mahendrarajah
30	Nallathamby Thiyagarajah
31	Rajendran Dominic Amirthanathan
32	Kasupathi Jeyakaran
33	Aiyathurai Sinnathamby
34	Subramaniam Soundararajah
35	Nallathamby Maheswaran
36	Nagamuttu Jeevaratnam
37	Elayathamby Sinnappu
38	Sinniah Perinpam
39	Seenithambi Chandrakumar
40	Thangarajah Udhayarajah
41	Sinnathamby Gopal
42	Thomasi Ramasamy
43	Thambirajah Kannappa
44	Ramachandran Kanagasegaram
45	Kandan Thiyagarajah
46	Devanayagan Udhayakumar
47	Thambirajah Velupillai
48	Kanapathipillai Udayakumar
49	innathamby Velayuthan
50	Kandiah Karunakaran
51	Sinnathamby Kiribairajah
52	Kunjithamby Yogarajah
53	Thambimmttu Arumugan
54	Paul Albert
55	Kathiragamathamby Vasanthakumar
56	Francis Leeters
57	Thambirajah Yogan
58	Thambimuttu Selvarajah
59	Sinnathamby Suppan
60	Aiyathurai Sriharan
61	Kesagapillai Lingarajah
62	Samithamby Devendran
63	Ponniah Jeevakaruna
64	Muthukumaru Krishnapillai
65	Kalikutti Peranandan
66	Kathiragamathamby Navaratnam

Annexure 'R'

Arrests and Subsequent Disappearances from Kokkaddicholai and Palukamam

Serial No.	*Name of Victim*	*Date*	*Arrested by*
Kokkaddicholai			
01	R. Shanmugarajah	25.04.91	Army
02	T. Tharmalingam	21.01.93	TELO & Army
03	K. Santhirasegaram	02.02.92	TELO & Army
04	E. Arulambalam	13.12.90	Army
05	T. Perinpam	10.05.91	Army
06	K. Sivalingam	10.05.91	Army
07	Mrs. P. Thedohanamoorthy	12.06.91	Army
08	S. Deivanayagam	01.02.92	Army
09	S. Ketharalingam	15.09.91	Unknown Persons
10	K. Sivagurunathan	12.06.91	Army
11	T. Sasitharan	12.06.91	Army
12	M. Selvarajah	12.12.89	EPRLF
13	B. M. D. Bandara	04.07.91	Unknown Persons
Palukamam			
14	T. Sivarajasegaram	17.07.90	Army
15	T. Mahendran	01.11.91	Army
16	G. Chandrakumar	17.07.90	Army
17	K. Ravikumar	27.07.90	Army
18	M. Navaneetham	02.07.91	Army
19	P. Thirumal	10.07.91	Army
20	P. Rajasingham	13.10.89	Army
21	V. Ketheeswaranathan	17.09.90	Army
22	V. Puvanasingham	17.07.90	Army
23	V. Logendran	02.07.91	Army

Annexure 'S'

Arrests in the Kalmunai Area

Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
01.	Satheeskumar	30.07.90	Pandiruppu
02.	Sivapathasundaram	27.05.90	Kalmunai Army
03.	Moses	12.09.90	Army, Kalmunai.
04.	Gnarnatheepan	12.09.90	Army, Kalmunai
05.	Vinayagamoorthy	13.12.91	Central Camp

Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
06.	Rajesraran	27.06.90	Army, Kalmunai
07.	Arulchelvan	21.06.90	Kalmunai
08.	Thavachelvan	28.10.87	Kalmunai
09.	Jeyakumar	21.06.90	Kalmuani
10.	Rasamanickam	12.08.90	Pinnawala Camp
11.	Thevarajha	—	S.T.F. Naipattimunai
12.	Nadesan	—	Army, Kalmunai
13.	Thurairajah	05.12.90	Maruthamunai
14.	Visvanathan	12.06.90	Unknown persons
15.	Premakumar	12.06.90	Unknown persons
16.	Thrmalingam	07.08.90	Disappeared
17.	Balasubramaniam	17.08.90	Disappeared
18.	Varatharajah	21.07.90	S.T. F. Pandiruppu
19.	Udayakumar	22.10.90	Army Kalmunai
20.	Chandran	17.04.91	S. T.F. Periyakallar.
21.	Balachandran	27.06.90	Army, Pandiruppu.
22.	Kanagasabai	27.06.90	Army, Pandiruppu.
23.	Thirunavukarasu	24.12.90	Army,Annamalazi Camp
24.	Thevarajah	29.12.90	Army Annamalai Camp
25.	Indiran	22.12.90	Army Annamalai Camp
26.	Sundaralingam	09.10.90	S.T.F. Kalmunai, Chavalakadai
27.	Inparajah	20.07.90	S.T.F. Karativu.
28.	Murugamoorthy	11.10.90	Disappeared at Chavalakadai.
29.	Arulananthan	15.08.90	Army, Chavalakadai.
30.	Gnanapiragasam	15.08.90	Army, Chavalakadai.
31.	Balendiran	15.08.90	Army Periyaneelavanai.
32.	Sivalinganathan	25.06.90	Aalayady Veethi.
33.	Rajapakse	09.07.90	Unknown Persons.
34.	Thedchanamoorthy	30.06.90	Thuraineelavanai Army.
35.	Selvanayagam	17.10.90	Unknown Group
36.	Ponnuthurai	27.06.90	Army Pandiruppu, Kalmunai.
37.	Croos Rajah	08.03.91	Muslim Home Guards.
38.	Yogaraja	27.06.90	Army, Pandiruppu.
39.	Jeyakumar	27.06.90	Army, Pandiruppu.
40.	Kiruparatnam	30.12.90	Army, Pandiruppa.
41.	Vivekanandan	21.06.90	Green Tigers, Karativu.
42.	Vadivelrajah	17.09.93	S. T. F. Thalayadi Camp.
43.	Theivendran	10.07.90	Army.
44.	Kandasamy	10.07,90	Army.
45.	Arasakumar	10.07.90	Army.
46.	Thayanithy	12.09,90	S .T.F. Maruthamunai.
47.	Packiyanathan	03.04.91	Disappeared at Karativu.
48.	Neminathan	12.12.90	S. T. F. Karativu.
49.	Packiyarajah	05.07.90	Pandiruppu Army.
50.	Vimalanathan	27.06.90	Pandiruppu Army, Kalmunai.
51.	Vishnukumar	19.05.92	Disappeared, Kalmunai.

Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
52.	Thayalan	05.12.90	S. T. F. Thuraineelavanai.
53.	Chandra	04.05.89	Unknown persons,Central Camp.
54.	Sundaralingam	17.04.88	Malwatte Army.
55.	Nallathamby	30.07.90	S.T.F. Kalmunai.
56.	Jayasekera	05.07.90	S. T. F. Kalmunai
57.	Robert Ragal	26.11.89	Disappeared at Kalmunai
58.	Anandakumar	1986	Arrested by Police at Kalmunai
59.	Jayakumar	27.06.90	Arrested by Police at Kalmunai
60.	Ravikumar	1985	Arrested by Police at Kalmunai
61.	Poopalapillai	10.07.90	Killed
62.	Rasasegaram	15.08.90	Army, Kalmunai
63.	Nilmalarajah	22.10.90	Malwatta Check Point
64.	Thangarasa	09.07.90	Karativu, White van
65.	Subramaniam	04.04.91	S. T. F. Maruthamunai
66.	Parameswai Pushparanri Yogarany	—	Valathapiddy Check Point
67.	Kandasamy	10.11.90	Chavalakadai
68.	Rasalingam	10.11.90	Chavalakadai
69.	Vigneswaran	27.06.90	Army, Kalmunai
70.	Vaitheeswaran	27.06.90	Army, Kalmunai
71.	Navaratnam	27.06.90	Army Pandiruppu, Kalmunai
72.	Anpu	27.06.90	Army, Pandiruppu, Kalmunai
73.	Maheswaran	27.06.90	Army, Pandiruppu, Kalmunai
74.	Sandrasegaram	27.06.90	Army, Pandiruppu, Kalmunai
75.	Ganesh	27.06.90	Army, Pandiruppu, Kalmunai
76.	Arumugam	05.07.90	Army, Pandiruppu, Kalmunai
77.	Thevanesan	05.07.90	Army, Pandiruppu, Kalmunai
78.	Suntharalingam	05.07.90	Army Karativu, Kalmunai
79.	Vanniarachchi	27.06.90	Army, Pandiruppu, Kalmunai.
80.	Kanagarajah	27.06.90	Army, Pandiruppu, Kalmunai
81.	Nagarajah	27.08.90	Army, Pandiruppu, Kalmunai
82.	Sivanathan	05.07.90	Pandiruppu, Kalmunai
83.	Selvarajah	05.07.90	Pandiruppu, Kalmunai
84.	Rajakumar	05.07.90	Pandiruppu, Kalmunai
85.	Nagendran	27.06.90	Army, Pandiruppu, Kalmunai
86.	Punniyamoorthy	27.06.90	Army, Pandiruppu, Kalmunai
87.	Pushparatnam	27.06.90	Army, Pandiruppu, Kalmunai
88.	Sathiyalingam	07.05.90	Army, Pandiruppu, Kalmunai
89.	Sivasubramaniam	19.09.90	Army, Pandiruppu, Kalmunai
90.	Sridharan	21.06.90	Army, Kalmunai
91.	Sriram	21.06.90	Army, Kalmunai
92.	Murugesu	21.06.90	Army, Karaitivu
93.	Padmawathy	14.12.90	Army, Kalmunai
94.	Mahadeva	09.07.90	Army, Kalmunai

Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
95.	Yogarasah	22.12.90	Army, Thuraineelavanai
96.	Ganeshapillai	11.06.90	Disappeared , Kalmunai
97.	Selvarajah	03.08.90	S. T. F. ,Kalmunai
98.	Thevarajah	21.06.90	Killed, Army, Kalmunai
99.	Jameel	22.10.90	Disappeared way to Mannar
100.	Adama Bava	13.07.88	Way to Mannar
101.	Rajeswaran	21.06.90	Army, Karaitivu
102.	Thavarajah	05.07.90	S. T. F., Pandiruppu
103.	Sivakumar	10.10.88	Disappeared, Kalmunai
104.	Santhakumar	15.06.90	Disappeared, Kalmunai
105.	Seenithamby	05.07.90	S. T. F., Pandiruppu
106.	Ravindran	05.07.90	do.
107.	Rajadurai	05.07.90	do.
108.	Yogaratnam	08.07.90	S. T. F. Pandiruppu
109.	Krishnamoorthy	19.09.90	S. T. F. Periyaneelavanai
110.	Vijayakumar	21.07.90	Munas Group, Kalmunai
111.	Udayarajah	21.07.90	do.
112.	Packiyaratne	24.04.90	Disappeared, Tigers
113.	Pathmanathan	20.08.92	Disappeared
114.	Nagendran	11.06.90	Disappeared, Kalmunai
115.	Sri Thevarasa	30.07.90	Army, Kalmunai
116.	Jayatheepan	27.06.90	Army, Kalmunai
117.	Vinayagamoorthy	05.07.90	Army, Kalmunai
118.	Wijayakumar	05.07.90	do.
119.	Packiyarajah	27.06.90	do
120.	Parameswaran	17.09.90	Pandiruppu, Munas Group
121.	Jeevaratnam	27.06.90	S. T. F. Karathivu
122.	Nadarajah	21.07.90	S. T. F. Kalmunai
123.	Thedchanamoorthy	June, 1990	Disappeared, Kalmunai
124.	Mahadevan	27.06.90	Army , Pandiruppu
125.	Pulendran	16.08.88	S. T. F., Madur
126.	Mahendran	03.08.90	S. T. F. Kallar
127.	Nagendran	12.06.90	Army, Mandur
128.	Thayavadivel	26.12.92	Disappeared Kalmunai
129.	Udayakumar	27.06.90	Army, Pandiruppu
130.	Thangavel	22.09.90	Disappeared, Kalmunai
131.	Sathiskumar	01.08.90	S. T. F. Periyakallar
132.	Chandrakumar	22.06.90	Unknown person, Kalmunai
133.	Mathias	16.09.90	Army, Chavalakadai
134.	Innasi	06.09.90	S. T. F., Karativu
135.	Cristirajah	16.09.90	do.
136.	Manoharan	27.06.90	Karativu Camp, Munas Group
137.	Selvarajah	22.07.90	S. T. F. Kaativu
138.	Samithamby	11.12.92	Disappeared, Chavalakadai
139.	Mohanraj	04.07.90	S. T. F. Karativu Camp
140.	Thiyagarajah	05.07.90	Kallar

Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
141.	Baskaran	23.09.90	Thirukkovil
142.	Ganesh	05.12.90	S. T. F. Periyaneelavanai
143.	Viyayakumar	09.10.90	Army, Chavalakadai
144.	Thiyagrarajah	12.10.90	S. T. F. Navatkudah
145.	Nagendiran	20.12.91	S. T. F. Navathkudah
146.	Ananthan	12.06.90	Unknown Person
147.	Arunam	12.06.90	do.
148.	Baskaramoorthy	16.11.90	Disappeared
149.	Vimaleswaran	07.05.90	Army, Pandiruppu
150.	Santhisegaram	26.09.90	Army, Kalmunai
151.	Augustine	16.09.90	S. T. F. Kalmunai
152.	Packiyanathan	22.12.90	Army, Periyakallar
153.	Shanthakumar	21.04.85	Kaluwanchikudy Police
154.	Thangarajah	23.05.89	Disappeared Naipattimunai
155.	Godwin	11.01.91	S. T. F. Kalmunai
156.	Gopalan	12.08.90	S. T. F. Marthumunai
157.	Mohan	21.06.90	Army, Kalmunai
158.	Sri	21.06.90	do.
159.	Sathiyamoorthy	27.06.90	Munas Group, Kalmunai
160.	Ganeshamoorthy	27.06.90	do.
161.	Sivanandan	05.07.90	Army, Kallar
162.	Kadiaram	13.06.90	Malwatte Check Point
163.	Mahendrarajah	27.06.90	Army, Pandiruppu
164.	Gajendiran	21.07.90	S. T. F. Pandiruppu
165.	Yogaratne	27.06.90	S. T. F. Pandiruppu
166.	Irutharajah	14.06.90	Unknown Group, Kalmunai
167.	Francis	15.09.90	Army, Kalmunai
168.	Pradeepan	24.12.90	Malwatte Check Point
169.	Sreetharan	21.06.90	Army, Batticaloa
170.	Rajendiran	21.07.90	Army, Kallar
171.	Ravi	03.09.90	Unknown person, Refugee Camp
172.	Joseph Silva	10.09.90	Army, Chavalakadai
173.	Velupillai	08.07.90	Army, Kallar
174.	Rajadurai	01.09.90	Pandiruppu
175.	Sivarajah	26.12.90	Disappeared, Kalmunai
176.	Sheltonrajah	14.08.90	S. T. F. Chavalakadai
177.	Govin Ravi	14.08.90	do.
178.	Puwaneswaran	22.10.90	Malwatte Check Point
179.	Ananthan	22.10.90	do.
180.	Kandasamy	02.02.91	S. T. F. Kalmunai
181.	Ravi	21.06.90	Army, Kalmunai
182.	Karunadasa	27.06.90	Army, Kallar
183.	Kandasamy	17.06.90	Killed by Unknown persons
184.	Kumar	21.07.90	Army Group, Samanthurai
185.	Vijayakumar	21.07.90	S. T. F. Kalmunai

Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
186.	Mohamed	14.06.89	Unknown people, Sainthamaruthu
187.	Gengatharan	August, 1990	Disappeared
188.	Madavan	21.07.90	S. T. F. Kalmunai
189.	Selvarajah	21.06.90	Army, Karaitivu
190.	Ambalawanan	15.02.90	Army, Neelavanai, Camp
191.	Jeyasingham	21.07.90	Army, Pandiruppu
192.	Yogarajah	07.05.91	Army, Refugee Camp, Kalmunai
193.	Velanthan	14.11.90	Malwatte, Check Point
194.	Rajasundaram	21.06.90	Army, Karaitivu
195.	Rasiah	20.07.90	Disappeared Cheddikulam
196.	Tharma	16.10.90	Muslim Home Guard
197.	Joseph	15.08.90	Kalmunai
198.	Bernard	15.08.90	Kalmunai

Annexure 'T'

Arrests from Pottuvil, Panama, Lahugala & Komari

01.	Gunasekera	24.07.90	S. T. F. Thirukkovil
02.	Dineshkaran	18.07.90	S. T. F. Thirukkovil
03.	Pathmanathan	06.07.90	S. T. F. Thirukkovil
04.	Yoganathamoorthy	05.08.90	S. T. F. Thirukkovil
05.	Jeyarathnam	16.09.90	Komari Thalayadi, Unknown people
06.	Ariyasinghe	16.09.90	Komari Thalayadi, Unknown people
07.	Thevarasa	13.06.90	Pottuvil Police
08.	Viswalingam	03.07.90	Arugambay S. T. F.
09.	Santhirasegaram	20.06.90	Unknown persons
10.	Subramaniam	—	S. T. F. Pottuvil
11.	Harun	15.06.90	Armed Group, Irakkamam
12.	Rasingham	25.07.90	S. T. F. Arugambay
13.	Vasu 02.08.90	02.08.90	Pottuvil Police and Home Guards
14.	Paramasivam	31.07.90	S. T. F. Pottuvil
15.	Jayawardena	14.01.88	Unknown group
16.	Thambirajah	29.06.90	S. T. F. Arugambay Camp
17.	Manickarasa	24.09.90	Army, Thirukkovil
18.	Thiruchelvam	05.11.90	Thirukkovil
19.	Kalanithy	05.10.90	Pottuvil Police
20.	Paskaranathan	06.12.92	S. T. F. Sakamam
21.	Ariyasena	24.06.90	Pottuvil Army
22.	Krishnan	24.06.90	Unknown people
23.	Anderson	Aug. 1990	Pottuvil, Unknown persons

Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
24.	Jesudasan	10.06.90	Disappeared
25.	Ganesh	17.06.90	Pottuvil Police
26.	Arunasalam	11.06.90	Pottuvil Police
27.	Subramaniam	02.08.90	Pottuvil Police
28.	Pathmachandran	02.08.90	Pottuvil Police
29.	Yoganathan	02.08.90	Potuvil Police
30.	Joseph Vinayagamoorthy Naganathan Mary Asirwatham	—	Disappeared on the way to Kandy
31.	Sriskandarajah	09.10.90	Thirukkovil, by S. T. F.
32.	Abeysekera	02.08.90	Arugambay
33.	Rajah	02.08.90	Home Guards
34.	Azlam	17.08.90	Thirukkovil
35.	Nadarajah	02.08.90	Army at Pottuvil
36.	Ravichandran	01.10.90	Pottuvil
37.	Rauf	—	by S. T. F. at Arugambay
38.	Thurairajah	05.08.90	by S.T. F. at Thirukovil
39.	Ponnan Mohan	02.08.90	by Pottuvil Police
40.	Gnanadasa	22.03.90	Unknown persons at Komari
41.	Theivendran	28.05.90	Disappeared
42.	Nallathamby	30.07.90	by S. T. F. at Pottuvil
43.	Annamalai	22.12.90	by Army at Arugambay.
44.	Selvaratnam	31.07.90	by S. T. F. at Arugambay
45.	Teivendran	22.06.90	by Army at Potuvil
46.	Nallathamby	05.12.90	by S. T. F. at Pottuvil
47.	Sabapathy	02.07.90	by S. T. F. at Pottuvil
48.	Theivasundaram	03.07.90	by S. T. F. at Komari
49.	Navaratnam	02.07.90	S. T F. and Muslims
50.	Karunakaran	24.07.88	At Arugambay
51.	Jayatilleke	13.09.92	Pulukunawa Army
52.	Thiyagarajah	13.04.91	Disappeared at Thirukkovil
53.	Vasantharajah	13.04.91	
54.	Nadarajah	12.04.89	
55.	Jeyaratnam	23.08.90	S. T. F. Thirukkovil
56.	Visagarajah	12.08.90	Akkaraipattu
57.	Nagendran	12.12.90	Akkaraipattu S. T. F.
58.	Thavarajah	29.09.90	Pottuvil
59.	Jeyendran	09.07.90	Pottuvil Police
60.	Shanmuganathan	08.08.90	Unknown Persons
61.	Kumaresan	01.08.90	S. T. F. Pottuvil
62.	Yogarajah	31.07.90	S. T. F. Pottuvil
63.	Mahendran	31.07.90	Pottuvil Police
64.	Masilamany	05.07.90	Refugee Camp, Pottuvil
65.	Gunawardena	03.07.90	Disappeared at Pottuvil
66.	Gnanamany	07.10.90	S. T. F.

Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
67.	Mahendran	—	Unknown Persons, Pottuvil
68.	Selvarajah	02.07.90	S. T. F. Pottuvil
69.	Chelvasubramaniam	26.09.90	Army, Pottuvil
70.	Pobinson	17.08.90	Disappeared at Akkaraipattu
71.	Lalitha	06.08.93	Army, Komari
72.	Selvarajah	24.08.90	Thirukkovil
73.	Selvarajah	24.06.90	Army, Akkaraipattu
74.	Visvalingam	03.07.90	Pottuvil Army
75.	Sivagnanam	29.06.90	Panama
76.	Manoharan	08.07.90	Arugambay
77.	Mahalingam	25.01.96	Thirukovil S. T. F.
78.	Pathirajah	24.09.90	S. T. F. Thirukkovil
79.	Selvarajah	15.07.92	S. T. F. Thirukkovil
80.	Ganeshan	31.07.90	S. T. F. Pottuvil
81.	Yogarajah	27.06.90	S. T. F. Pottuvil
82.	Thavarajah	16.06.90	Arugambay
83.	Anandarajah	31.07.90	S. T. F. Army, Pottuvil
84.	Sivarajah	31.07.90	S. T. F. Pottuvil
85.	Sittambalam	31.07.90	S. T. F. Pottuvil
86.	Santhanayagam	31.07.90	S. T. F. Pottuvil
87.	Rasu	31.07.90	S. T. F. Pottuvil
88.	Manivannan	18.07.90	S. T. F. Pottuvil
89.	Sivasundaram	31.07.90	S. T. F. Arugambay
90.	Ravikumar	03.07.90	Akkaraipattu, Pottuvil
91.	Gunaratnam	29.12.90	Disappeared at Thirukkovil
92.	Srirangan	15.01.91	Disappeared at Thirukkovil
93.	Rasanathan	24.06.90	Pottuvil
94.	Vishnukumar	31.07.90	Pottuvil Police
95.	Vijayakumar	04.07.90	While travelling to Arugambay from Pottuvil
96.	Sivanathan	03.07.90	Unknown persons, Pottuvil
97.	Poopalapillai	02.08.90	Pottuvil Police
98.	Pushparajah	31.07.90	S. T. F. Arugambay
99.	Udayakumar	03.07.90	S. T. F. Komari
100.	Jegatheswaran	03.07.90	S. T. F. Komari
101.	Jayakumar	09.07.90	S. T. F. Thirukkovil

Annexure 'U'

Arrests & Subsequent Disappearances during the years 1988 & 1989, from Amparai Area

Serial No.	*Name of Victim*	*Place of Arrest*
01.	U. G. Sunil Karunatilake	Paragahakele
02.	N. I. P. Dissanayake	Ampara
03.	K. M. Chandrasiri	Ampara
04.	W. A. Sirisena	Galpitigala
05.	R. s. Ratnayake	Ampara
06.	W. A. Ariyaratne	Ampara
07.	E. K. G. Prematilake	Ampara
08.	T. G. Gunaratne	Paragahakele
09.	D. M. S. Priyantha	Namaltalawa
10.	S. P. Gunatilake	Namal Oya
11.	W. A Albert Perera	Ampara
12.	M. D. G. Jeyasinghe	Inginiyagala
13.	K. A. Dayaratne	Ampara
14.	P. G. S. Nimal Premasiri	Ampara
15.	D. M. Weeraratna Bandara	Panagolla
16.	D. M. Seelawathy	Maha Oya
17.	W. G.Yuwaratna	Serangada
18.	W. G. S. Pushpakumara	Maha Oya
19.	K. Logaratnam	Ampara
20.	J. N. Ranjith	Ampara
21.	H. H. Sumathipala	Galapitigala
22.	P. A. Piyasena	Dehiaththakandiya
23.	W. M. A. Dharmakeethy	Kohobana
24.	M. A. K. Dharmasena	Ampara
25.	D. H. W. P. Dicksn Silva	Ampara
26.	U. P. D. Sumanadasa	Galkanda
27.	A. Rajaratna	Ampara
28.	C. Wimal de Silva	Ampara
29.	N. D. S. Wickrama Arachchi	Padiyatalawa
30.	S. A. Jayalath Bandara	Ambagahawatta
31.	M. Nihal Indra Soma	Ambagahawatta
32.	G. Gnanawimala	Inginiyagala
33.	L. S. S. Weersinghe	Ampara
34.	P. G. Bandara	Devalahinda
35.	G. V. Ramyasiri	Kock Town
36.	V. G. Pemadasa	Paranigama
37.	A. H. K. Krisly	Ampara
38.	A . M. Abeyawardana	Paragahakele
39.	P. G. Wilson Perera	Ampara
40.	K. M. Hinniappuhamy	Pahalalanda

Serial No.	*Name of Victim*	*Place of Arrest*
41.	B. G. Weerasinghe	Kock Town
42.	G. G. Piyadasa	Moragahapallama
43.	W. M. J. Bandara	Ampara
44.	R. L. Gunatilake	Ampara
45.	H. M. N. Santhakumar	Maha Oya
46.	R. M. Ukku Banda	Dammana
47.	W. D. Piyadasa	Kohobana
48.	W. M. Wickramasinghe	Walagampara
49.	N. I. P. Dissanayake	Ampara
50.	K. G. Piyatissa	Ampara
51.	W. N. S. Rajakaruna	Muwangala
52.	A. J. M. Ratnayake	Inginiyagala
53.	Y. M. Ratnayake	Ampara
54.	P. Gnanapala	Dammana
55.	K. M. Indradasa	Devalakinda
56.	H. M. Jayawardana	Dehiaththakandiya
57.	N. T. D. Jayasuriya	Ampara
58.	M. G. Piyaratna	Devlahinda
59.	R. B. Jothipala	Maha Oya
60.	A. L. A. Karunaratne	Navamedagama
61.	A. L. A. Lambert	do.
62.	H. H. Dharmapala	Ampara
63.	R. M. Anurapa;a	Ampara
64.	H. M. Sumathipala	Gonapala
65.	P. G. Senaratna	Dehiaththakandiya
66.	P. M. Vijayaratna Banda	Navamedagama
67.	P. M. Tikiri Banda	do.
68.	P. M. Ariyasena	do.
69.	M. G. G. Hinnihamy	Paragahakela
70.	H. M. Nandasena	Maha Oya
71.	H. M. Samanapala	do.
72.	H. M. Rubasinghe	Dammana
73.	V. G. Vimalaweera	Dehiathakandiya
74.	A. B. Samarakone	do.
75.	W. G. Piyadasa	Ambagahawatta
76.	S. Ranasinghe	Rajagalatenne
77.	R. R. M. K. Tikiri Banda	Ampara
78.	T. H. Sri Ratna	Ampara
79.	T. H. Mahindaratna	Ampara
80.	W. A. Dayaratna	Ampara
81.	K. Sarath Perera	Paragahakele
82.	A. M. Punchibanda	do.
83.	R. M. Gunasekara	Valagampura
84.	T. M. Dayananda	Dehiaththakandiya
85.	S. B. Sunil Alagakone	Damanawela
86.	D. M. Gunasekara	Uhana

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Serial No.	*Name of Victim*	*Place of arrest*
87.	K. Nagathayaparan	Ampara
88.	K. M. Ratnayake	Rajagalatenne
89.	K. Rajakumar	Ampara
90.	V. Ananda	Namal Oya

Annexure 'V'

Arrests made at Pandiruppu

Serial No.	*Name of Victim*	*Date of Arrest*	*By whom Arrested*
01.	T. Kandasamy	27.06.90	Army
02.	K. Muthuretnam	27.06.90	Unknown person
03.	S. Sirimathan	27.06.90	Army
04.	S. Rajan	21.09.90	S. T. F.
05.	M. Indrarajah	21.07.90	S. T. F.
06.	P. Kandasamy	05.07.90	Unknown person
07.	K. Santhakumar	05.07.90	Army
08.	P. Ravichandran	27.07.90	S. T. F.
09.	S. Pius Ravichandran	27.06.90	Army
10.	V. Satheeskumar	17.07.90	S. T. F.
11.	P. Deepaharan	07.06.94	Unknown person
12.	M. Kugan	05.07.90	Army
13.	M. Puwaneswaran	05.07.90	Army
14.	K. Sabaratnam	05.07.90	Army
15.	T. Yogarajah	08.09.88	Unknown person
16.	S. Srimathan	27.06.90	Army
17.	S. Uthayakumar	27.06.90	Army
18.	S. Jeyakumar	27.06.90	Army
19.	K. Mahendran	05.07.90	Army
20.	G. Nallaratnam	22.07.90	Army
21.	N. Ravihandran	27.06.90	Army
22.	P. Ravickumar	21.07.90	Army
23.	S. Chandrakumar	27.06.90	Army
24.	S. Ravichandran	21.07.90	Army
25.	K. Kalithasan	05.07.90	S. T. F.
26.	K. Mahendran	05.07.90	Unknown person
27.	S. Sivaruban	27.06.90	S. T. F.
28.	K. Sivakumar	21.07.90	Army
29.	K. Thavarajah	27.06.90	Army
30.	S. Arasaratnam	05.07.90	Army
31.	S. Satheeskumar	30.07.90	S. T. F.
32.	S. Uthayarajah	27.06.90	Unknown person
33.	S. Vadivel	27.06.90	Unknown person
34.	K. Varatharajah	21.07.90	S. T. F.

Serial No.	*Name of Victim*	*Date of Arrest*	*By whom Arrested*
35.	A. Arunan	05.07.90	Army
36.	V. Thiyagarajah	10.07.90	Army
37.	K. Markandu	27.06.90	S. T. F.
38.	K. Vimaleswaran	07.05.90	Army
39.	N. Inparajah	20.07.90	S. T. F.
40.	A. Rajapaksa	09.07.90	L. T. T. E.
41.	S. Chelvanayagam	17.10.90	S. T. F.
42.	S. Ponnudurai	27.06.90	Unknown peerson
43.	R. Devarajah	30.07.90	Army
44.	R. Dharmaratnam	05.07.90	Army
45.	K. Santhakumar	05.07.90	Army
46.	A. Mahendrakumar	27.06.90	Army
47.	M. Uthayakumar	27.06.90	Unknown person
48.	S. Manokanthan	27.06.90	Army
49.	M. Panneerchelvam	27.06.90	S. T. F.
50.	K. Maheswarn	27.06.90	Army
51.	K. Vigneswaran	27.06.90	Army
52.	A. Jayaseelan	27.06.90	Army
53.	V. Ganeshamoorthy	05.07.90	S. T. F.
54.	V. Kandasamy	02.02.91	S. T. F.
55.	K. Ravi	21.06.90	S. T. F.
56.	G. Karunadasa	27.06.90	Army
57.	T. Mathews	27.06.90	Unknown person
58.	M. Bence Denarance	05.07.90	Army
59.	E. Vijayakumar	21.07.90	S. T. F.
60.	Y. Abdul Majeed	14.06.89	Unknown person
61.	L. Meharajah	27.06.90	Army
62.	T. Sathiyamoorthy	27.06.90	Army
63.	T. Ganeshamoorthy	05.07.90	Army
64.	K. Packiyarajah	05.07.90	Army
65.	N. Vimalanathan	27.06.90	Army
66.	M. Indrarajan	21.07.90	S. T. F.
67.	S. Jeyachandran	21.07.90	Army
68.	R. Suresh	04.03.91	S. T. F.
69.	R. Ramesh	05.07.90	Army
70.	S. Savuntharajan	27.06.90	Army
71.	R. Kandeepan	05.07.90	S. T. F.
72.	S. Vinayagam	21.07.90	S. T. F.
73.	I. Namadevan	27.06.90	Army
74.	Y. Suresh	27.06.90	Army
75.	K. Mahendran	05.07.90	S. T. F.
76.	N. Vijayakumar	17.10.90	Unkonwn person
77.	R. Dharmaratnam	05.07.90	Army
78.	D. Dayananda	1991	Unknown person
79.	R. Jayasundaram	21.07.90	Unknown person

Serial No.	*Name of Victim*	*Date of Arrest*	*By whom Arrested*
80.	K. Logarajah	27.06.90	Army
81.	K. Jayakumar	27.06.90	Army
82.	K. Kiruparatnam	27.06.90	Army
83.	S. Jayachandran	05.07.90	Unknown person
84.	R. Arasammah	10.07.90	Army
85.	R. Theivendran	10.07.90	Army
86.	T. Kanmany	10.07.90	Army
87.	S. Ganeshamoorthy	05.07.90	Army
88.	M. Yoganayagam	21.07.90	Army
89.	T. Mahendrarajah	27.06.90	Army
90.	S. Kajendran	21.07.90	S. T. F.
91.	M. Sivanathan	05.07.90	Army
92.	K. Tharmarajah	16.10.90	Unknown person
93.	S. Senthilkumar	05.07.90	Army
94.	K. Balachandran	27.06.90	Army
95.	K. Sri Kanagarajah	27.06.90	Army
96.	K. Vigneswaran	27.06.90	Army
97.	K. Maheswaran	27.06.90	Army
98.	N. Sri Varatharajah	27.06.90	Army
99.	C. Gowrighandi	27.06.90	Army
100.	a. Sivakumar	01.08.90	S. T. F.
101.	K. Rajadurai	27.06.90	Army
102.	S. Santhakumar	05.07.90	Army
103.	M. Sivakumar	27.06.90	Army
104.	S. Thavarajah	05.07.90	S. T. F.
105.	T. Ravichandran	05.07.90	S. T. F.
106.	T. Seenithamby	05.07.90	S. T. F.
107.	V. Rajadurai	05.07.90	Army
108.	S. Yoganathan	08.07.90	Army
109.	G. Thillainadarajah	21.07.90	S. T. F.
110.	M. Mathialagan	21.06.90	Army
111.	M. Sureshkumar	27.06.90	S. T. F.
112.	K. Amalanathan	27.06.90	Army
113.	K. Anpu	27.06.90	Army
114.	K. Navaratnam	27.06.90	Army
115.	K. Mahendran	27.06.90	Army
116.	C. Ganesh	27.06.90	Amy
117.	T. Chandrasegaram	27.06.90	Army
118.	K. Packiya Arulanandam	27.06.90	Army
119.	V. Ragu	27.06.90	Army
120.	V. Keeva	27.10.91	Army
121.	K. Vijayarajah	04.12.90	Army
122.	V. Mohan	21.07.90	Army
123.	A. Arumugam	05.07.90	Army
124.	T. Thavanesan	05.07.90	Army

Serial No.	*Name of Victim*	*Date of Arrest*	*By whom Arrested*
125.	T. Suntharalingam	05.07.90	Army
126.	Vanniaratnam Sri	27.06.90	Army
127.	K. Velupillai	27.06.90	Army
128.	T. Kanagarajah	27.06.90	Army
129.	K. Vijayaratnam	27.06.90	Army
130.	K. Jeevaratnam	30.11.89	Police
131.	K. Thiyagarajah	27.08.90	Army
132.	S. Thevarajah	27.06.90	Army
133.	N. Suntharanathan	05.07.90	Army
134.	S. Selvarajah	05.07.90	Army
135.	R. Rajakumar	05.07.90	Army
136.	K. Nagendran	27.06.90	Army
137.	V. Punniyamoorthy	27.06.90	Army
138.	P. Pushpanathan	27.06.90	Army
139.	K. Sathiyalingam	05.07.90	Army
140.	S. Ketharapillai	05.07.90	S. T. F.
141.	S. Sivakumar	05.07.90	S.T.F.
142.	S. Krishnapillai	12.07.90	Unknown Person
143.	T. Ravikumar	05.07.90	Green Tiger
144.	V. Sivasubramaniam	19.07.90	Army

Annexure 'W'

Arrests made from Veeramunai Pillayar Kovil Refugee Camp Ampara District

Serial No.	*Name of Victim*	*Date of Arrest*	*Arrested by*
01.	A. Rugunathan	29.06.90	Army
02.	S. Thangavel	29.06.90	Army
03.	K. Ulaganathan	29.06.90	Army
04.	T. Uthayssuriyan	20.06.90	Army
05.	K. Sithamparamoothy	29.06.90	Army
06.	S. Kalikuddy	08.08.90	Army
07.	P. Ganeshamoorthy	29.06.90	Army
08.	T. Sinnadurai	12.08.90	Army
09.	A. Kandasamy	26.07.90	Army
10.	T. Ponnudurai	26.07.90	Army
11.	S. Vilvarajah	29.06.90	Army
12.	A. Samithamby	20.06.90	Army
13.	S. Thevarajah	29.06.90	Army
14.	S. Thevadas	29.06.90	Army
15.	K. Ganeshamoorthy	10.06.90	Army
16.	S. Atputharajah	07.04.90	Unknown Group
17.	S. Thevarajah	07.04.90	Unknown Person

Serial No.	*Name of Victim*	*Date of Arrest*	*Arrested by*
18.	M. Baskaran	29.06.90	Army
19.	V. Surendran	29.06.90	Army
20.	K. Nagendran	29.06.90	S.T.F.& Army
21.	A. Weerasena	29.06.90	Army
22.	S. Thilagendran	26.07.90	Army
23.	J. Ramachandran	04.07.90	Army
24.	Subas Chandrabose	12.06.90	Unknown Person
25.	S. Velmurugu	29.06.90	Army
26.	T. Rasalingam	04.07.90	Unknown person
27.	K. Arumugam	20.06.90	Army
28.	M.Selvaratnam	27.07.90	Army
29.	K. Mohanraj	04.07.90	Green Tiger
30.	M. Jeganethan	29.06.90	Army
31.	R. Vanithasan	29.06.90	Army
32.	T. Uthayasuriya	20.06.90	Army
33.	I. Amirthalingam	29.06.90	Army
34.	S. Sampanthan	29.06.90	Unknown person
35.	M. Vinayagamoorthy	29.06.90	Army
36.	T. Ganeshamoorthy	29.06.90	Army
37.	P. Ravichandran	04.07.90	S.T.F.
38.	K. Yogaraja	29.06.90	S.T.F.
39.	M. Tharmalingam	08.08.90	Army
40.	P. Kandasamy	29.06.90	Army
41.	S. Yogaraja	22.07.90	Army
42.	M. Murugesapillai	29.07.90	Army
43.	M. Murugesapillai	29.06.90	Army
44.	P.Rajedren	26.07.90	Army
45.	M. Meharajah	29.06.90	Unknown person
46.	S. Ravichandran	29.06.90	Unknown person
47.	S. Balachandran	29.06.90	Unknown person
48.	S. Indiran	29.06.90	Unknown peraon
49.	C. Amarasingam	13.06.90	Army
50.	P. Muniandy	20.06.90	Army

Annexure 'X'

Arrests and Disappearances in July, 1990 from Pottuvil Area

Serial No.	*Name of Victim*	*Place of Arrest*
01.	M. Selvarajah	Kundumadu
02.	S. Kandasamy	Pottuvil Refugee Camp
03.	Micheal De John	Pottuvil
04.	K. Pathmanathan	Pottuvil
05.	T. Chandiran	Pottuvil

Serial No.	*Name of Victim*	*Place of Arrest*
06.	T. Basker	Pottuvil
07.	D. Manohar	Sinna Ullai
08.	K. Ganesh	Pottuvil
09.	S. Yogarajah	Pottuvil
10.	P. Sivanandarajah	Pottuvil
11.	S. Rajendran	Pottuvil
12.	T. Sundararaj	Pottuvil
13.	V. Manivannan	Pottuvil
14.	K. Sivasundaram	Pottuvil
15.	P. Anandarajah	Pottuvil
16.	S. Sathiyanathan	Pottuvil
17.	N. Thurairajah	Pottuvil
18.	T. Ravikumar	Komari Refugee Camp
19.	T. Santhalingam	Pottuvil
20.	K. Ravi	Pottuvil
21.	P.Ravindran	Komari
22.	P. Vigneswaran	Komari
23.	S. Yogarajah	Pottuvil
24.	M. Mahendran	Pottuvil
25.	S. Masilamany	Pottuvil
26.	S. Subramaniam	Kundumadu
27.	S.Visuvalingam	Kundumadu
28.	J. Johnson	Komari
29.	M. Rasanayagam	Pottuvil
3o.	M. Paramasivam	Komari
31.	P. Sittampalam	Pottuvil
32.	N. Gunaseelan	Pottuvil M.V./R. Camp.
33.	K. Selvarajah	Pottuvil
34.	S. Vijayakumar	Pottuvil M. V.
35.	V. Selvarajah	Komari
36.	S. Suvendran	Pottuvil
37.	V. Pushoarajah	Pottuvil
38.	G. Uthayakumar	Komari Camp
39.	S. Sivanandan	Pottuvil
40.	A. Mahendrakumar	Pottuvil
41.	S. Kandasamy	Pottuvil
42.	S. Subramaniam	Pottuvil
43.	V. Rasiah	Pottuvil
44.	K.Theivendran	Pottuvil Refugee Camp
45.	S Mahendran	Pottuvil
46.	K. Devinathan	Komari Refugee Camp
47.	K. Navaratnam	Pottuvil
48.	K. Sinnarajah	Pottuvil
49.	I. Karunaharan	Pottuvil
50.	J. Gunawardana	Roddai
51.	S. Nallathamby	Pottuvil

Serial No.	*Name of Victim*	*Place of Arrest*
52.	G. Ramesh	Komari Refugee Camp
53.	P. Jayanandan	Pottuvil

Annexure 'Y'

Arrest from Amparai

Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
01.	Shanmugam	02.10.91	Central Camp, Ampara.
02.	Disanayake	27.03.91	Disappeared at Ampara.
03.	Thangiah Muthiah	22.10.90	Check Point, Malwatte.
04.	Abewickrema	21.03.90	Armed group from Jediyagama Police.
05.	Vinayagamoorthy	29.05.90	Pillayar Kovil Camp, Kondaivedduvan.
06.	Amarasinghe	28.02.90	Unknown Persons
07.	Wickrematilleke	19.12.89	Padiyatalawa POlice.
08.	Gnanatilleke	17.10.89	Ampara Police.
09.	Nelson Rajah	30.11.85	Ampara Police.
10.	Emmanuel	23.08.91	Kondawedduwan Army.
11.	Gnatillke	12.02.90	Police, Damane.
12.	Sumathipala	30.12.89	Uhana Police.
13.	Piyasena	09.12.88	Unknown Group.
14.	Dharmakeerthy	16.11.89	Unknown Group.
15.	Darmasena	24.09.89	Ampara Police.
16.	Dickson Silva	21.11.88	Disappeared at Ampara.
17.	Sumanadasa	24.09.89	Dewalahinda Army.
18.	Disanayake	03.12.90	Killed.
19.	Vijayasinghe	—	Lahugala.
20.	Rajaratne	08.06.89	Ampara Police.
21.	Santhnial	12.12.89	Ambagahawatte Police.
22.	Jayatilke Bandara	08.08.89	Inginiyagala Sugar Factory.
23.	Indrasena	11.10.89	Ampara.
24.	Premadasa	21.05.90	Inginiyagala Police.
25.	Gunaratne	05.03.90	Unknown Persons.
26.	Vijayatunge	18.08.90	Ampara Police.
27.	Anil Wickremasinghe	18.08.90	Inginiyagala Police
28.	Somapala	27.09.90	Inginiyagala Police
29.	Parameswary	02.12.90	Kondaivedduwan
30.	Chandrasekeram	22.12.90	Kodivedduwan Army
31.	Premawathie	15.09.89	Ampara, Inginiyagala
32.	Ranjani	06.02.89	Unknown persons, Ampara
33.	Premadasa	23.12.89	Disappeared at Hingurana
34.	Chandrapala	24.07.90	Disappeared at Maha-oya

Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
35.	Jeyakumar	11.06.90	Police Post, Ampara
36.	Rajadurai	12.09.90	Army, Kondaivedduwan
37.	Sasikumar	12.09.90	Army, Kondaivedduwan
38.	Jeyanthan	12.09.90	Army, Kondaivedduwan
39.	Loganathan	30.11.89	Ampara Police
40.	Sahayanathan	16.09.90	Army, Kondaivedduwan
41.	Ganeshan	15.06.90	Disappeared at Ampara
42.	Sithamparanathan Pushparanay Children and grand child	26.11.89	Malwatte Check point
43.	Nagathangappan	22.10.89	Ampara
44.	Jothipala	Oct. 1988	Maha Oya
45.	Wickrematilleke	19.01.90	Unknown group, Maha Oya
46.	Navaratne Bandara	30.10.90	Dehiaththakandiya Police
47.	Premasiri	30.08.90	Police, Araliyagama
48.	Ilangakone	21.10.90	Unknown group
49.	Indradasa	24.09.89	Unknown persons, Ampara
50.	Manickam	09.07.90	Mahaoya Camp
51.	Sithambarapillai	25.06.90	Army, Kondavedduwan Camp
52.	Muthulingam	05.07.90	Army, Moneragala
53.	Ravichandran	22.09.90	Kondavedduwan Army Camp
54.	Abeyawardana	15.12.89	Inginiyagala
55.	Kingsley	09.09.89	Uhana Police
56.	Ratnayake	16.08.90	Uhana Police
57.	Perera	12.11.89	by J. V. P.
58.	Hinniappuhamy	16.12.88	Shot dead
59.	Gunatilleke	06.02.89	Shot dead, J. V. P.
60.	Shanthakumar	27.10.89	Home Guard, Ampara
61.	Ukku Banda	25.02.90	Damana Police
62.	Piyasena	24.06.90	Unknown persons, Ampara
63.	Chandrasena	12.12.90	Unknown persons, Ampara
64.	Piyatissa	19.12.89	Padiyatalawa Check Point
65.	Piyadasa	12.12.88	Unknown persons, Inginiyagala
66.	Karunaratne	24.05.90	Shot by the Ampara Police
67.	Weerasinghe	22.12.91	Ambagahawatte Police
68.	Rajakaruma	21.11.88	Hingurana
69.	Karunatilleke	24.10.90	Dehiaththakandiya
70.	Dayasena Silva	16.09.90	Kondavedduwan
71.	Rajaratne	15.12.89	Inginiyagala Police
72.	Ratnayake	29.12.89	Disappeared at Ampara
73.	Gabriel Antony	16.09.90	S. T. F. Kondaivedduwan
74.	Gemunu	18.03.91	Ampara Police
75.	Dayaratne	27.01.90	Killed at Inginiyagala
76.	Natkunasingham	24.06.90	Kondavedduwan
77.	Rajaratne	24.06.90	Kondavedduwan

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Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
78.	Kathiramalai	17.06.90	Central Camp
79.	Jude Johnson	10.06.90	Ampara Police
80.	Dilruksha Bandara	07.11.90	Ampara Police
81.	Athula	17.01.90	Inginiyagala Police
82.	Ukkubanda	12.12.90	Army, Damana
83.	Wimalasena	02.12.90	Disappeared at Moneragla
84.	Ananda	06.12.88	Serakanda Army
85.	Jayasundaa	05.12.89	Ampara Police
86.	Seneviratne	17.01.89	Army, Kondaivedduwan
87.	Gurusigneh	22.06.90	Damana Police
88.	Wijayaratne	11.08.95	Dehiaththakandiya
	Tikiri Banda	11.08.95	
	Ariyasena	11.08.95	
89.	Hinnihamy	10.12.88	Killed at Ampara
90.	Kapukottuwa	21.10.90	Army, Kandy at Menikhinna Camp
91.	Jayatunge	21.10.90	-do-
92.	Vadivel	12.06.90	Ampara Bus Stand
93.	Gunasekaera	24.09.89	Army, Devalahinda, Ampara
94.	Somasiri	22.07.90	Ambakanda Police
95.	Sarath Perera	30.11.89	Killed at Ampara
96.	Punchilanda	30.11.89	Polcie, Ampara
97.	Dayananda	12.02.89	Padiyatalawa, Ampara
98.	Seneviratne Banda	09.12.89	Unknown Persons, Girandurukotte
99.	Gunasekera	22.09.89	Uhana Police
100.	Tharmalingam	02.04.91	Disappeared at Ampara
101.	Senathirajah	04.01.90	Ampara
102.	Anandarajah	11.06.90	Disappeared at Ampara
103.	Wimalathasan	20.06.90	Uhana Check Point
104.	Gunawardana	18.08.90	Ampara Police
105.	Wimalasena	09.12.89	Ampara, Unknown persons
106.	Samarasekera	09.09.89	Disappeared at Dehiaththakandiya
107.	Piyadasa	10.12.89	Unknown persons
108.	Disanayake	03.12.90	Wadinagala.
109.	Seneviratne	13.12.81	Unknown Persons.
110.	Dayaratne	31.12.81	Unknown Persons.
111.	Sathian	10.08.90	Disappeared at Ampara.
112.	Rasadurai	22.10.90	Army, Ampara.
113.	Siripala	13.08.90	Army, Navithanveli.
114.	Jeevaratnam	30.04.89	Ampara Police.
115.	Packiarajah	22.06.90	Mahaoya Check Point.
116.	Ratnakumar	19.08.90	Army, Kondaivedduwan.
117.	Uthayasingham	—	Munas Group.
118.	Mariyadas	21.07.90	Army, Kondaivedduwan

Serial No.	*Name of Victim*	*Date of Arrest*	*By whom Arrested*
119.	Pathmarajah	14.11.90	Malwatte Check Point.
120.	Ven. Vimaleswara	05.09.90	Unknown Group.
121.	Nilamdeen	15.07.90	Malwatte Check Point.
122.	Jayaratne	24.09.89	Unknown Persons, Ampara.
123.	Abayasundera	11.08.89	Unknown Persons, Navakudagama.
124.	Karunaratne	11.08.89	Unknown Persons, Navakudagama.
125.	Dharmapala	03.11.89	Disappeared.
126.	Gnanarajah	15.06.90	Police, Madampe.
127.	Rubendirarajah	24.07.90	Kondaivedduwan Camp.

Annexure 'Z'

Arrests made at Check Points: (1) Valathapiddy Check Point

Ampara District

Serial No.	*Name of Victim*	*Date of Arrest*
01.	Samithamby Parameswary	26.11.90
02.	Kandasamy Sivasithamparanathan	26.11.90
03.	Alagaiah Pushparany	26.11.90
04.	Alagaiah Yogaranee	26.11.90
05.	Vivekanandan Anithiya	26.11.90
06.	Sivasithamparanathan Kenujah	26.11.90
07.	Sivasithamparanathan Purutharsan	26.11.90

(2) Malwatta Check Point

01.	Velmurugu Ravindran	14.11.90
02.	Karuwalthamby Nachchiammai	22.10.90
03.	Nihardeen Salideen	15.07.90
04.	Selladurai Nimalarajah	22.10.90
05.	Murugesu Muthammah	22.10.90
06.	Muthuretnam Kathresapillsi	26.11.90
07.	Kathiresapillai Sinnapillai	26.11.90

Annexure 'AA'

Army Arrests - Vavuniya Town

Serial No.	*Name of Victim*	*Date*	*Arrested by /Arrested at*
01.	Kathiravelu	09.07.90	Army, Vavuniya
02.	Rasakarier	07.08.90	do.
03.	Manimaran	25.01.91	do.
04.	Sankaranathan	25.01.91	do.
05.	Ganesh	23.08.09	do.
06.	Ulaganathan	19.06.90	do.
07.	Chandrasekaram	27.01.91	do.
08.	Muruganathan	11.06.90	do.
09.	Thiruchelvam	30.12.89	do.
10.	Kasinathan	19.06.90	do.
11.	Balasubramaniam	29.01.95	do.
12.	Sebamalai	25.09.94	do.
13.	Ranjan	03.08.90	do.
14.	Gunarasa	07.08.90	do. (Killed)
15.	Indika	29.08.89	do. (Iratperiyakulam)
16.	Rev.Gnanaratne	29.08.90	do. do.
17.	Jayaseelan	08.07.90	do. do.
18.	Yogarajah	17.03.91	do.

Annexure 'AA'

Arrests by Army - Outside Vavuniya Town

Serial No.	*Name of Victim*	*Date*	*Arrested by /Arrested at*
01.	Manoharan	21.12.94	Army, Omanthei
02.	Tharmalingam	July,1990	Army, on the way to India
03.	Michael	04.07.91	Army, Veppankulam
04.	Nageswaran	14.06.90	Army, Check Point
05.	Chandiran	04.07.91	Army, Madhu
06.	Leganathan	17.11.90	Army, Veppankulam
07.	Gunasekaram	18.05.90	Army, Cheddikulam
08.	Sivalingam	21.06.90	Army, (Shot dead) Vavuniya
09.	Sivasuntharan	16.12.92	Army, Kilali Lagoon
10.	Mohandas	17.11.90	Army, Mankulam
11.	Suthakaran	13.11.90	Army, Killinochchi
12.	Pushpalingam	15.06.90	do.
13.	Paramalingam	11.08.90	Army, Thunukkai
14.	Kanagasingham	04.07.91	Army, Veppankulam

Serial No.	*Name of Victim*	*Date*	*Arrested/Arrested by*
15.	Ganeshamoorthy	04.07.91	do.
16.	Tharmarajah	20.09.90	Army, Omanthai
17.	Udayasooriam	10.01.90	Army, Kayts
18.	Uthayakumar	07.08.90	Army, Pavatkulam
19.	Krishnasamy	03.08.90	Army, Madhu
20.	Mariyadas	14.03.93	Navy, Kilali
21.	Kumaresan	22.08.89	Army

Annexure 'AA'

Arrests by Army and Navy in the Vanni Region

Serial No.	*Name of Victim*	*Date*	*Arrested/Arrested by*
01.	Dias	13.12.90	Thalaimannar, Army
02.	Coonghe	20.01.91	do.
03.	Sothilingam	04.07.93	Check Point, Thalaimannar
04.	Amirthanaygam	04.07.93	do.
05.	Ponniah	11.07.90	Elizabeth Army Camp Mannar
06.	Prince Coonghie	21.01.91	Army, Thalaimannar
07.	Peiris	18.11.90	army, Mannar
08.	Peiris Coonghie	21.05.91	Army, Vankalai
09.	Subramaniam	17.03.91	Army, Pesalai
10.	Mahendran	12.08.90	Army, Visvamadu
11.	Packekianesan	04.11.90	Army, Kilinochchi
12.	Thiyagarajah	02.08.90	Mulliyawalai Navy
13.	Sebstianpillai	11.01.91	Army, Murunkan
14.	Vairavanathan	11.07.90	Army, Thalaimannar
15.	Nagasamy	11.07.90	do.
16.	Thevendran	11.07.90	do.
17.	Subramaniam	11.07.90	do.
18.	Kandapalam	11.07.90	do.
19.	Ravikumar	11.07.90	do.
20.	Rasaratnam	18.01.91	Pesalai
21.	Sathiakaran	16.11.90	Pesalai
22.	Rawindran	16.11.90	Pesalai
23.	Thevarasa	03.12.90	Mannar
24.	Paneerchelvam	15.11.90	Army, Thalaimannar
25.	Manoharan	15.11.90	Army, Thalaimannar
26.	Arulappu	15.12.90	Army, Thallady
27.	Sahayadasan	18.11.90	Army. Thallady
28.	Mahalingam	16.11.90	Thallady (Killed)
29.	Yesuthasan	16.11.90	Illupakadavai
30.	Azeez	23.10.90	Silavathurai
31.	Anthonipillai	21.06.91	Pesalai
32.	Alton Panditha-Soldier	23.10.90	Killed-Silavathurai

Annexure 'BB'

Disappearances-Vavuniya/Thandikulam - Check Point

Serial No.	*Name of Victim*	*Date*	*Arrested at/Arrested by*
01.	Murugesu	30.06.91	Check Point, Thandikulam
02.	Ambihapathy	09.03.91	-do-
03.	Ajith Bndara	10.04.91	-do-
04.	Samantha Peruma	15.01.94	-do- (Shot and killed)
05.	Kumaran	22.04.91	-do-
06.	Jabarulla	28.05.95	-do- (Tigers)
07.	Karunakaran	Oct. 1990	-do-

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